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ABSTRACT

Categorical programs presently delivering services to migrant and seasonal farmworkers are diffusely spread throughout several departments and agencies of the Federal Government. On September 26, 1974, the House of Representatives Subcommittee on Agricultural Labor of the Committee on Education and Labor met to hear testimony on H.R. 12257 and related legislation. The bill (H.R. 12257) provides for the establishment of a National Office for Migrant and Seasonal Farmworkers within the Department of Health, Education, and Welfare. This office would be responsible for the coordinated administration of all the programs of that Department serving migrant and seasonal farmworkers. The testimony consisted of discussions of the legislation and its provisions; the migrants' problems; current activities of the Department of Labor; overall needs of farmworkers; rationale for a National/Federal Migrant Office; and an overview of the New York State Migrant Center. Among the witnesses were representatives from the: Raza Association of Spanish Surnamed Americans; National Association of Farmworker Programs; Program Funding, Inc.; Association of Farmworker Opportunity Programs; New York State Migrant Center; Hidalgo County (Texas) Economic Development Corporation (Edinburg, Texas) and National Council of La Raza. (NQ)

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NATIONAL OFFICE FOR MIGRANT AND SEASONAL FARMWORKERS

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HEARING

BEFORE THE

SUBCOMMITTEE ON AGRICULTURAL LABOR

OF THE

COMMITTEE ON EDUCATION AND LABOR

HOUSE OF REPRESENTATIVES

NINETY-THIRD CONGRESS

SECOND SESSION

ON

H.R. 12257

A BILL TO PROVIDE FOR THE ESTABLISHMENT OF A NATIONAL OFFICE FOR MIGRANT AND SEASONAL FARMWORKERS WITHIN THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, WITH RESPONSIBILITY FOR THE COORDINATED ADMINISTRATION OF ALL OF THE PROGRAMS OF THAT DEPARTMENT SERVING MIGRANT AND SEASONAL FARMWORKERS

HEARING HELD IN WASHINGTON, D.C.
SEPTEMBER 28, 1974

Printed for the use of the Committee on Education and Labor
CARL D. PERKINS, *Chairman*

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NATIONAL OFFICE FOR MIGRANT AND SEASONAL FARMWORKERS

THURSDAY, SEPTEMBER 26, 1974

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AGRICULTURAL LABOR
OF THE COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to notice, in room 2128, Rayburn House Office Building, Hon. William D. Ford (chairman of the subcommittee), presiding.

Present: Representatives Ford and Landgrebe.

Staff members present: Thomas R. Jolly, counsel; Patricia R. Morse, clerk; Royden P. Dyson, research aide; and Richard H. Mosse, minority counsel.

[Text of H.R. 12257 follows:]

[H.R. 12257, 93d Cong., 2d sess.]

A BILL To provide for the establishment of a National Office for Migrant and Seasonal Farmworkers within the Department of Health, Education, and Welfare, with responsibility for the coordinated administration of all of the programs of that Department serving migrant and seasonal farmworkers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established within the Department of Health, Education, and Welfare a National Office for Migrant and Seasonal Farmworkers (hereinafter referred to as the "Office"), for the purpose of meeting more effectively the needs of migrant and seasonal farmworkers in the United States.

SEC. 2. (a) It shall be the function of the Office, under the general direction and supervision of the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary"), to—

(1) administer all of the laws and programs within the jurisdiction of the Department of Health, Education, and Welfare which are designed to assist or serve migrant and seasonal farmworkers, and coordinate those laws and programs with all other Federal laws and programs designed to assist or serve such farmworkers, giving appropriate consideration to the interrelationship of the various laws and programs with emphasis upon assuring maximum benefits therefrom and increasing Federal responsiveness thereunder to the special needs and concerns of migrant and seasonal farmworkers;

(2) exercise full responsibility on behalf of the Federal Government for the development of national policies with respect to migrant and seasonal farmworkers, for decisions involving the most effective allocation of resources and deployment of funds to meet their needs, and for the effective implementation of these policies and decisions and of any Federal laws or regulations relating thereto; and

(3) take any and all other actions (in conjunction with the study and investigation carried on by the task force established pursuant to section 3) which may be necessary or appropriate to meet the needs and solve the problems of migrant and seasonal farmworkers in the United States.

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SEC. 3. (a) The Secretary shall appoint a special task force on migrant and seasonal farmworkers which shall conduct a continuing study and investigation of the needs and problems of migrant and seasonal farmworkers in the United States and of methods for meeting those needs and solving those problems, giving particular emphasis to the early development of a single comprehensive Federal program designed to assist migrant and seasonal farmworkers.

(b) The members of the special task force appointed under paragraph (a) shall reflect the geographical distribution of migrant and seasonal farmworkers in the United States, with adequate representation for areas in which the population of such farmworkers is particularly concentrated.

SEC. 4. (a) Effective ninety days after the date of the enactment of this Act, all functions, powers, and duties under Federal laws and programs within the jurisdiction of the Department of Health, Education, and Welfare which relate to migrant and seasonal farmworkers (including but not limited to any such laws and programs which relate to health, education, housing, day care, manpower, and emergency food and medical assistance) are consolidated and vested in the Office, to be administered and coordinated by the Office provided in this Act.

(b) So much of the positions, personnel, assets, liabilities, contracts, property, records, and unexpended balances of authorizations, allocations, and other funds of the Department of Health, Education, and Welfare or any office or agency thereof as were employed, held, used, or available for use in connection with functions, powers, and duties consolidated and vested in the Office by subsection (a) shall be transferred to the Office along with such functions, powers, and duties.

SEC. 5. (a) In carrying out its functions under this Act, the Office shall not delegate its responsibilities or any part thereof to any public or private, State, or local agency or organization.

(b) Funds appropriated for purposes of this Act pursuant to section 6 shall be available for the performance of the functions of the Office, and shall be obligated, expended, and utilized for such purposes, without regard to the availability of any other funds for such purposes or the existence of any other programs (Federal, State, or local, public or private) designed to assist or serve migrant and seasonal farmworkers.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

Mr. FORD. I will call the committee to order.

Mr. Landgrebe was kind enough to give us a quorum. He is an essential man this morning.

The first thing I would like to do is announce that Congressman Roybal, who is the principal sponsor of the legislation, is unable to be here this morning because of a conflict with his responsibilities in another committee. He has submitted a prepared statement for the record. Without objection, that will be inserted.

[The statement of Congressman Roybal follows:]

PREPARED STATEMENT OF HON. EDWARD R. ROYBAL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

I am pleased to have this opportunity to discuss with you the need for a stronger federal commitment toward migrant and seasonal farmworkers. That commitment must include the development of a comprehensive federal policy that has the support of the farmworker population throughout the United States.

I believe the bill which I have introduced to establish a national office and policymaking task force provides several important ideas in achieving this objective. I wish to thank you, as Chairman of this subcommittee, and my distinguished colleagues, Representatives Thompson and Lehman, for your sponsorship of my bill.

H.R. 12257 and H.R. 12258 would establish a national office for migrant and seasonal farmworkers to administer all laws and programs within the Department of Health, Education, and Welfare, designed to assist migrant and seasonal farmworkers. This organization would be empowered to develop national farmworker policies for the entire government—policies which deal with the distribution of federal funds and resources and the enforcement of policies, laws, and regulations affecting farmworkers.

Further, the bill would require the formation of a special task force to develop a single comprehensive federal farmworker program. The task force would be a problem-solving, policymaking group; it would conduct "a continuing study and investigation" into farmworker needs and concerns, and seek solutions to their problems.

This proposal would replace our present system of resolving farmworker problems through a maze of government agencies and divisions. Program diffusion and overlap created serious conflicts and confusion regarding goals and responsibilities in the federal structure. It has caused anger and frustration among farmworkers. My bill would help correct these wrongs by requiring a unifying approach to farmworker issues.

In a 1973 report on the impact of federal programs in improving living conditions for farmworkers, the General Accounting Office documented the need for a unifying or coordinated approach. The report described our governmental efforts toward farmworkers as "services . . . provided on a splintered basis." It concluded that "an overall plan and a common direction of effort are needed to guide these federal assistance programs and strengthen their impact on improving the living conditions of migrants and farmworkers." Their recommendation included the formation of a federal council to set policies and priorities for migrant and seasonal farmworkers.

In September, 1973, the Migrant Programs Division for the Department of Labor reached similar conclusions. In evaluating the national vs. regional approach from a labor program viewpoint, the report stated that "the rationale for a national office is more persuasive." Their reasoning was that farmworkers were an occupational group subject to "geographic shifts caused by mechanization patterns and migrancy." For this group, political boundaries represent unnatural and artificial divisions.

Further, the report argued against regionalization of federal farmwoker programs. It stated that "the likelihood of any ten regional directors of DOL or any other agency, placing farmworker programs on the same level on their priority lists is statistically remote."

There is little doubt that the entire farmworker assistance framework—both federal and local—remains what some analysts call a "battleground of conflicting interests." What we have is a labor system in which the growers continue to dominate and influence governmental policy. It is ironic that the migrant and seasonal farmworker who is supposed to be the "focus of concern" is the one least visible within this labor system.

In a country popularly thought of as affluent and egalitarian, migrants continue to live in poverty and despair. Their life encompasses a rootless, almost nomadic existence characterized by low wages, poor housing, and often long periods of unemployment.

Migrant farmworkers continue to receive the lowest wages among the working poor. In addition, the work itself is unpredictable. Even after a worker has traveled many hundreds of miles to harvest a crop, adverse weather conditions like floods or frost may mean no work at all. Equipment breakdowns and shortages can cause further delays.

But even if he finds work, he is not likely to receive the minimum hourly wage. Further, there are virtually no overtime provisions in this type of work. Untrustworthy employers often manipulate the wages and hours so that a migrant or seasonal farmworker will get even less than he thought he was bargaining for. This situation helps to explain why children of migrant families are forced to work. It is estimated that one fourth of the farm wage workers in the United States are under 16 years of age.

Child labor has resulted in the loss of educational opportunity for farmworker families. Migrant children, for instance, are enrolled in school sometimes less than 80 percent of the school year. During that year they are likely to attend a number of schools in different areas. They are usually not accepted by their classmates, nor understood by their teachers. What they experience is a deep sense of rejection and alienation from society and its institutions.

Another obstacle facing migrant workers is unsanitary and unsafe housing provided by growers. Some migrant workers and their families have been known to live in chicken coops with no sanitary facilities. Growers have used the need for housing as an advantage to keep workers from organizing and bargaining from fair wages and adequate living conditions. It has been reported that some labor camps have become virtual prisons for workers and their children.

This cycle of poverty and lack of opportunity is perpetuated by the daily advances made in farm technology. While many of these improvements have helped increase our crop yield, they have also caused further unemployment among seasonal farmworkers. Since 1960 the need for seasonal farm labor has dropped nearly 30 percent, and further job losses due to mechanization will continue to occur.

This is a very stark picture but one which is painfully real to farmworker families. It is time to stop treating farmworkers as the forgotten occupational minority in America. It is a national tragedy that those who work under hardship conditions to harvest the crops cannot themselves afford adequate food, clothing, and health care for their families.

I believe that H.R. 12257 and H.R. 12258 would help unify the "band-aid" approach presently operating within the federal government. Instead of duplication of efforts and conflicting program standards, there would be a national migrant policy and strategy. Such a policy would include four important areas of concern. First, it would establish a coherent social program covering health care, education, public assistance, housing, manpower training and placement, day care and other social services. Second, it would strengthen process of legal action and investigation, particularly in the areas of farm labor contractor registration, minimum wage coverage, child labor, health and occupational safety, including pesticides and transportation standards. Third, it would develop a program for the collection and publication of reliable and up-to-date statistics for migrant and seasonal farmworkers. Fourth, it would recommend appropriate action to prevent the use of illegal aliens as strikebreakers.

It is essential that this policy be developed with the active participation and cooperation of the farmworkers themselves. To accomplish this end, I would recommend to this committee the addition of a new provision to the bill—one which would assure substantial representation on the policy-making task force for farm workers and their organizations.

I believe that this bill will provide the catalyst for a more intensive and problem-solving approach toward farmworker problems. Further, it would reverse the present chaos in federal migrant programs, and create a national strategy and commitment in assisting the farmworker population.

Mr. FORD. I would like to call Manuel D. Fierro, president and executive director of the Raza Association.

Manny, do you have some people with you?

STATEMENT OF MANUEL D. FIERRO, PRESIDENT AND EXECUTIVE DIRECTOR, RAZA ASSOCIATION OF SPANISH SURNAMED AMERICANS ACCOMPANIED BY CARLOS BESINAIZ, RAZA ASSOCIATION OF SPANISH SURNAMED AMERICANS, MT. VERNON, WASHINGTON

Mr. FIERRO. Yes; I do, Mr. Chairman.

On my right is Mr. Carlos Besinaiz, former director of Whatcom-Scagit Rural Opportunities Council. He is also a consultant.

Mr. Chairman, what I would like to do, you have my testimony before you, I would like to somewhat skip over that and highlight the main essence of the areas that we are concerned. Hopefully for the record, the full text of the testimony will be included.

Mr. FORD. Without objection, the prepared statement that Mr. Fierro has presented to us will be included at this point in the record in full.

You can add to it or comment on it in any way you wish.

[The statement of Mr. Fierro follows:]

PREPARED STATEMENT OF MANUEL D. FIERRO, PRESIDENT, RAZA ASSOCIATION OF SPANISH SURNAMED AMERICANS

Mr. Chairman and members of the committee, my name is Manuel D. Fierro, I am the president of Raza Association of Spanish Surnamed Americans (RASSA), a national, nonpartisan Spanish speaking citizens' lobby.

On behalf of our 24-member board of trustees and the 54 national and local Spanish speaking organizations, I want to thank you for the opportunity to appear before you today, to express RASSA's support for the proposed legislation which will establish a national office for migrant and seasonal farm workers. For the last two years RASSA has been advocating for the creation of one agency at the national level which would be responsible for migrant and seasonal farm worker programs. I am optimistic that these hearings can contribute greatly to expedite the creation of a national office for migrant and seasonal farm worker programs.

Accompanying me today is Mr. Carlos Besinaiz, former director of Whatcom-Skagit Rural Opportunities Council, an OEO III-B grantee. Mr. Besinaiz has also served as a management and program planning consultant to OEO funded III-B grantees for the last three years.

In my testimony today, I will not reiterate the numerous statistics that have been used to portray the low socioeconomic status of the migratory and seasonal farm worker. I will assume the committee is properly informed of the current socioeconomic conditions of migrant and seasonal farm workers, and in the interest of time, I would rather refer you to appendix I, which succinctly describes the present migrant conditions. I would, however, like to bring to your attention certain other items which I feel contribute to the support of the need for a national office for migrant and seasonal farm worker programs. I would also like to focus your attention on the current status of the OEO III-B migrant guarantees as well as current activities in the Department of Labor which I feel further demonstrate the need for a national plan and strategy to ameliorate the problems of migratory and seasonal farm workers. I will also offer some brief observations on current activities in Congress which will hopefully hasten the creation of the national office. Near the end of my testimony I have included some recommendations I hope the committee will seriously consider.

Nature of the Problem

While the migrant farm worker has a home base where some general roots have been established, he suffers from economic deprivation which compels him to migrate great distances in search of employment. Thus the problem of the migrant and seasonal farm worker is that it is national in scope; requiring a national responsibility and strategy in finding a solution.

As in the home base, the travel states and the destination areas also confront the migrant farm worker with innumerable problems relating to work conditions, earnings, emergency health care, language barriers and housing. Moreover, a continuing and/or a new set of problems develop in the localities where migrant farm workers settle-out.

Accordingly, programmatic strategies and resources must be committed to solve the problems of the migrant and seasonal farm worker and the rural poor. Any solution must be structured to deal with the issues as they exist in the:

1. Home base area;
2. Travel and work states;
3. Interstate and/or national scope of the problem;
4. Interagency coordination aspect of the problem.

At present, the problem of providing comprehensive services to the migrant and seasonal farm worker is that Federal and State programs directed at this highly mobile population are splintered. No department or agency has the resources, manpower, nor programmatic competence to cope with the multiple problems in their entirety, yet little effort is going into cooperation and coordination which would increase the efficiency in service delivery to migrant and seasonal farm workers. Categorical programs presently delivering services to migrant and seasonal farm workers are diffusely spread throughout several departments and agencies of the Federal Government (HEW, DOL, HUD, and DOA).

In the past, congressional committees, public agencies, and private businesses have conducted a number of studies on the problems which confront the migrant and seasonal farm worker population. In most cases, the findings produce similar or complementary conclusions and recommendations. Specifically, these studies identify the need for strong, unified direction and coordination of migrant and seasonal farm worker programs by Federal, State, and local agencies.

In the fall of 1968, for example, the migrant research project, an OEO sponsored and funded program, initiated a two year study of the living and working

conditions of migrant and seasonal agricultural farm workers. An excerpt of the 1970 report states that:

The migrant research project has observed programs which have either been established for migrants in the past few years or which should serve migrants as part of their overall responsibility. Each program observed seems to possess many good qualities. The majority, however, singly or collectively, appear to lack the thrust necessary to accomplish the overall goal of alleviating the poverty of the farm workers. Of necessity, this will be true until the activities of all—Government and the private sector—coalesce their efforts to stem the decay of the country. Only then will the poverty of the farm worker be solved.

Pursuant to a congressional request, the General Accounting Office undertook in 1971 to survey the impact of Federal programs on the living conditions of the farm workers. GAO auditors examined in depth Federal programs for farm workers in six geographically dispersed-sites, each site was a county with a very high incidence of farm workers in a State that is a heavy user of seasonal agricultural labor. The States in which the six counties were located are Texas, Florida, California, New York, Michigan and Washington. The findings and conclusions of the GAO's 1973 report to Congress, entitled "Impact of Federal Programs to Improve the Living Conditions of Migrant and Other Seasonal Farm Workers" were that:

Although the Federal Government's programs provided needed services, for many of the estimated 199,000 migrant and other seasonal farm workers and their dependents in the six areas, the amount of funds made available in relation to the total target population—estimated by the Office of Economic Opportunity at 5 million—and the magnitude of their problems have limited the programs' effectiveness. Budgetary constraints will almost certainly continue to limit progress in meeting these farm workers' needs.

Administrators, however, need to improve the operation of their programs to more effectively aid participating migrant and other seasonal farm workers and their families.

The GAO report continues to note that the breakdown in the effectiveness of the programs is due to the fact that:

Services are provided on a splintered basis through many programs, each having separate legislative authority and intent. Because the results of one program have an impact on other programs, an overall plan and common direction of effort are needed to guide these Federal assistance programs and strengthen their impact on improving the living conditions of migrants and other seasonal farmworkers.

Upon recommendation of the GAO report, the Office of Management and Budget (OMB) convened an interagency task force in early June, 1972 to discuss the GAO report and consider the recommendations of that report. In brief, the task force agreed that the lack of a national policy and coordination mechanism is one of the main causes of the problem. To this day, there has been little, if any, follow-up on the task force's own recommendations and conclusions.

From the reading of the reports thus far cited, one can conclude that it is a general consensus that a strong, clearly identifiable, centralized national program is required to insure a more effective and efficient administrative mechanism for the provision of services to migratory and seasonal farm workers and their families.

Numerous other studies could be cited, but in the interest of time, I again respectfully refer you to RASSA's own position paper supporting the establishment of a national office which is attached as appendix II of this testimony and which further contains a rationale for the establishment of a national office for migratory and seasonal farmworkers.

A Background of the OEO III–B Migrant and Seasonal Farm Worker Programs and Their Current Status in DOL

I would now like to give a brief background statement of the OEO III–B migrant and seasonal farm worker programs as well as discuss their current status in DOL since their transfer to that department in August of last year. By isolating the current activities and management of migrant and seasonal farm worker programs in DOL, which is one of several agencies currently providing services to migratory and seasonal farm workers, I hope to illustrate that the problems documented in various studies, such as the GAO report, continue

to plague and hamper the delivery of services to migratory and seasonal farm workers.

An overview of the first and only comprehensive national program designed to deliver social services to migrant and seasonal farm workers, indicates that the Government has willfully assigned a low priority status to the problems of the five million migrant and seasonal farm worker population in this country. Furthermore, the lack of interest demonstrated by the previous administration in assuring that adequate human services are provided to the migrant and seasonal farm worker population has resulted in an uncoordinated, unplanned, and a nebulous social service migrant and seasonal farm worker program.

The Office of Economic Opportunity's migrant programs were authorized by title III–B of the Economic Opportunity Act of 1964, as it was amended. Authorized funds for migrant and seasonal farm worker programs were $35 million in FY 1972, and $36.3 million in FY 1973. Former President Nixon requested that OEO migrant projects and their staffs be placed in the Department of Labor, and he also requested funding for those projects in the amount of $40 million for FY 1974. The Office of Economic Opportunity migrant and seasonal farm worker programs were transferred to the Department of Labor in August 1973.

To exemplify the lack of attention given to the need for a national, unified, operating philosophy of migrant and seasonal farm worker programs, Howard Phillips, former acting director of the Office of Economic Opportunity, once proposed that title III–B programs be entirely eliminated. He advocated that the monies authorized for the title III–B programs should be distributed to State Governors as revenue sharing. The neglect of the serious socioeconomic problems confronting the migrant and seasonal farm worker population of this country is exemplified in Howard Phillips' plans, which would have destroyed the arena for the creation of a unified coordinating mechanism of migrant and seasonal farm worker programs.

Even with the recognizable manpower parameters of DOL functions, the title III–B programs were transferred to the Department of Labor. This transfer has resulted in creating a nebulous atmosphere between the agencies who are involved in human service delivery to migrant and seasonal farm workers and national policy of the Federal Government regarding the human service program delivery to the target population.

The Future of the OEO III–B in DOL

Existing EOA title III–B programs are at present scheduled to operate well into fiscal year 1975. The administration's proposed budget for fiscal year 1975 does not include a request for a continuation of title III–B funding. Therefore, section 303 of CETA may well be the prime source of federal funds potentially available to agencies and organizations now carrying out III–B projects.

The title III–B grantees exhibited a coordinated effort with a commendable degree of success in spite of numerous obstacles. As will be demonstrated in the next section, the DOL's approach to title III–B grantees will dilute their successful efforts through its "shotgun" approach in the distribution of the section 303 CETA monies to all states. Also, there is no guarantee that the III–B grantees will continue to be funded by DOL. Of the 66 III–B grantees of 1973, only 44 have submitted qualifying statements to DOL (see appendix III). This does not mean that these projects will be funded since competition for the section 303 CETA monies is basically open to any request that meets the criteria of DOL as stated in the August 6, 1974 publication of the "Federal Register." Under these guidelines, I might disturbingly add, even the Teamsters Union qualifies for funding and has submitted a qualifying statement to DOL (see Appendix III).

Current Activities in DOL

I would now like to address myself to current activities in the Department of Labor which I feel further demonstrate the need for a national coordinating and monitoring mechanism for the administration of migrant and seasonal farm worker programs.

Of deep concern to RASSA is the current manner in which DOL is implementing title III section 303 of the Comprehensive Employment and Training Act of 1973 (CETA).

Title III, section 303, identifies migrants and seasonal farm workers as a national priority target group and requires that a minimum of 5% of the

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amount allocated for title I be appropriated for this purpose. The legislation clearly establishes that the problems characterized by seasonal employment and the vagaries of the agricultural industry deserve special programmatic directions. Consequently, DOL will have $52.7 million title III, section 303 monies in its national account fund for FY '75 to be allocated to the "best qualified" programs throughout the United States. I might insert at this point that, according to our sources of information, in many cases predetermination of section 303 sponsorships have been made by DOL prior to the submission of qualification statements. A case in point is reflected in their letter I have attached which raises serious questions in my mind as to DOL's apparently hidden intentions of funding state agencies and unions over OEO III–B programs such as the Arizona Job Colleges, Inc., who have already demonstrated a high degree of success in providing services to the migratory and seasonal farm workers (see Appendix IV).

I have also included the projected distribution of allocatable section 303 funds for FY '75 as compared to FY '74 distribution of title III–B EOA funds in Appendix V for your information. As is reflected in these figures, each state is guaranteed by DOL to receive at least $100,000 of section 303 funds.

RASSA seriously questions the manner in which these monies will be allocated as well as the primary criteria DOL is using in evaluating the present qualifying statements which is the ability of a project to provide manpower services.

In looking at Appendix V we see that DOL is seeking to distribute section 303 monies to every State in the Union. RASSA feels that the Secretary should envoke his prerogative provided him in CETA to not allocate 303 monies to those States which do not utilize a high percentage of migrant and seasonal farm workers in their State.

It is apparent to me that the monies will not be going to the appropriate target areas having high concentrations of home-based migratory and seasonal farm workers or to States which have historically been substantial users of migrant farm worker labor.

To better illustrate this point, I refer you to figure A, which gives the location of projects funded by the Migrant Division of the Office of Economic Opportunity. Figure B illustrates the travel patterns of seasonal migratory agricultural workers. When figure A is superimposed on figure B, we see that for the most part, OEO III–B programs were strategically located in areas where migrants could either utilize these services during their travel and/or temporary employment in various states, or in their home base state, where a high concentration of migratory and seasonal farm workers permanently reside, i.e. Texas and California.

FIGURE A

BEST COPY AVAILABLE

TRAVEL PATTERNS OF SEASONAL MIGRATORY AGRICULTURAL WORKERS

FIGURE B

This map shows the major directions of the northward migratory movement of domestic agricultural workers. The movement is reversed as the crop season ends in the northern States and the workers drift back to their home-base areas—for many of them, southern California, Texas, and Florida.

Southern Negroes predominate among the agricultural migrants in the East Coast States and U.S. citizens of Mexican ancestry in other States. In addition, low-income southern white families, Puerto Ricans, and Indians are found in the domestic agricultural migrant population.

Source: Senate Committee on Labor And Public Welfare, Subcommittee on Migratory Labor, Senate Report 91-85.

For your further information, Figure C gives a breakdown of how DOL currently plans to allocate the section 303 CETA monies by region as compared to the FY 74 distribution of Title III-B EOA funds. This again supports our allegation that section 303 CETA monies will not be rationally allocated to regions which are in greater need of these monies due to their higher concentration of migratory and seasonal farm workers.

Distribution of Allocable Section 303 Funds for FY 75 as Compared to FY 74 Distribution of Title III-B EOA Funds by Regions (As Reflected in DOL Planned Allocations of Section 303 Funds—See Appendix V)

FIGURE C

	Fiscal year 1974 401 B allotments	Section 303 allotments formula
I	175,000	896,000
II	1,150,000	2,872,000
III	345,000	1,075,000
IV	7,938,000	11,507,000
V	1,971,000	3,834,000
VI	9,779,000	7,665,000
VII	276,000	1,594,000
VIII	1,363,000	2,762,000
IX	1,744,000	3,478,000
X		2,757,000

Again referring to Appendix V, I ask how DOL justifies the currently planned allotment of CETA Section 303 monies to the below listed States for FY '75?

State	Planned Sec. 303 allotment
Alaska	$100,000
New Hampshire	100,000
Vermont	100,000
Maine	100,000
West Virginia	100,000
Rhode Island	100,000
Hawaii	200,000

The above allocation of funds is not even consistent with DOL's own allocation formula. It seems that DOL merely wishes to guarantee each State will receive "at least" $100,000 of the Section 303 CETA monies. The ridiculousness of this DOL policy is further highlighted by the fact that even the District of Columbia is slated to receive $100,000 of the CETA Section 303 monies for FY 1975 (see Appendix V).

These few examples clearly illustrate that DOL is merely trying to appease all States at the expense of the migratory and seasonal farm worker and this to me is a blatent disregard of the true heart of the problem. There are other States which will be receiving Section 303 CETA funds which can hardly be considered as targeted problem areas when you consider the magnitude for the problems of other States who are either high users of migratory and seasonal farm work labor and/or have a large concentration of migrant and seasonal farm workers residing in their State. These activities clearly constitute a misallocation of resources and a mismanagement of Government funds.

I would now like to point out to the committee members a recent DOL decision in regards to alien labor which I seriously question. On September 6, 1974, the Department of Labor approved the certification of 2,923 alien workers to pick apples in New England, New York, Virginia and West Virginia. In addition to this, DOL certified another 791 foreign workers to plant sugar cane in Florida (see Appendix VI). This to me is highly suspicious considering the high unemployment rate of our Nation's migratory work force. I would suggest that the committee take positive action to determine exactly what steps were taken, by both DOL and the various State employment services, to try and recruit workers from our own migrant work force before these alien workers were certified to work in the United States.

The purpose of highlighting the current activities in DOL was to substantially illustrate the need for a national office which will monitor activities of agencies not only in DOL's manpower administration, but in other departments and agencies currently providing services to migratory and seasonal farm workers.

Other Activities in Congress Concerning a National Office

At this point, I believe it would be beneficial to note some recent developments in the Senate Subcommittee on Employment, Poverty and Migratory Labor of the Senate Committee on Labor and Public Welfare.

On August 8, 1974, the subcommittee held hearings on several bills which would provide for the continuation of programs currently authorized under the economic opportunity Act (EOA) of 1964 (H.R. 14449, S. 3870, S. 3798). As a result

of those hearings, at which RASSA testified, the subcommittee has developed a bill which will provide for the continuation of the various EOA programs under the auspices of a separate independent agency. The bill reported to the full committee, the Headstart Economic Opportunity and Community Partnership Act of 1974, also contains a provision for the creation of a national office for migratory and seasonal farm workers within the new independent agency. In all probability, there will be action on this bill before the end of this session of Congress. I encourage members of this committee to be fully supportive of the whole concept of a national office for migratory and seasonal farm workers.

I would like to emphasize to the committee that our central concern is not whether this new national office should be located in HEW or in the new independent agency. Our concern is that a national office be created which will monitor as well as effectively and efficiently coordinate the administration of all migrant and seasonal farm worker programs.

Recommendations and Observations

Mr. Chairman, at this time I would like to offer a few brief recommendations and observations as to the goals, objectives, authority and structure the national office should contain:

The office should have the prime responsibility and the assignment of assuring maximum coordination of funding resources on the national level.

The office should be given the authority to reallocate or redirect funding resources which are used in a manner of less than maximum effectiveness.

The office should be responsible for year-round and long range planning for migrant, ex-migrant and other seasonal farm workers. (Such planning should include the development of five (5) year funding cycles, such as in migrant health grantees under HEW, to better plan and execute the identified national strategy.)

The office should establish an interstate and intrastate committee for migrant and ex-migrants. This committee should be responsible for interstate cooperation and coordination.

The office should guarantee that the task force be comprised of representatives from migrant and seasonal farm worker III-B grantees. This would insure utilization of programmatic experience in developing and implementing a national strategy.

Conclusion

In conclusion, I hope this committee will follow through and seriously consider the creation of a national office for migratory and other seasonal farm workers. The administration has continually demonstrated its lack of commitment and initiative in seeking means to more effectively and efficiently coordinate and administer the existing migratory and seasonal farm worker programs. Moreover, the different philosophies of the heads of the various departments and agencies currently providing services to migratory and seasonal farm workers will continue to promote interagency rivalry and jealousies, thus delaying the constructive development of a single unified philosophy plan and strategy to ameliorate the problems of migratory and seasonal farm workers.

The Department of Labor's administration and allocation of the section 303 CETA migrant monies was singled out as a case in point of the administration's failure to recognize and resolve the true nature of the problem we have addressed ourselves to today.

The time has come for Congress to mandate that the various departments and agencies' efforts be coordinated in order that the problems of migratory and seasonal farm workers can be focused on in a more coherent and constructive manner and dealt with in a more effective and efficient way. Unless this is done by Congress itself, the administration's own administrative ineptness will continue to duplicate its efforts which will hamper the coordination and foresight needed to ameliorate the problems facing migratory and seasonal farm workers every day.

In conclusion, I strongly recommend that the committee raise the focus of the migratory and seasonal farm workers to the national level by the creation of a national office for migratory and seasonal farm workers.

APPENDIX I

The Migratory and Seasonal Farmworker Condition

I. OVERALL NEEDS OF FARM WORKERS

The food industry is America's biggest business. The production end of that business, agriculture, depends upon a labor system which still bears the markings of its historical antecedent, slavery.

Farm workers constitute a unique poverty class: their employment is sporadic, low-paying, and subject to the unpredictable vicissitudes of weather conditions and technical advances. They are virtually excluded from the benefits which industrial workers enjoy: minimum wage legislation, collective bargaining rights, unemployment insurance, workmen's compensation, child labor regulations, and decent working conditions.

Both seasonal and migratory farmworkers tend to receive minimal community services, but migrant farmworkers, as a result of their mobility, are essentially citizens of no communities and consequently benefit from almost no local programs or services. Residency requirements often aggravate their exclusion.

As if their plight as agricultural laborers were not already calamitous, the mechanization of agriculture is displacing the number of farm labor jobs at a geometrically increasing rate. The effect of this mechanization seems to be that farmworkers work fewer days, rather than that there are fewer farmworkers. Consequently, the relatively constant number of farmworkers work fewer and fewer days and earn less. The median annual income for farmworkers in 1971 was $2,500 (including income derived from non-agricultural work during off-season).

TARGET POPULATION

Family Size—mean, 7.0; median, 6.4; mode, 6.0.

Social characteristics

Ethnic Background: Approximately 75 percent—Mexican-American; approximately 15 percent—Black; approximately 10 percent—Indians, Anglos, Puerto Rican.

(NOTE.—These "Ethnic Background" figures are only estimates, since there is no data to yield accurate information.)

Education

Lowest of any occupation group: Median years school completed—7.7; functional illiteracy rate—all farmworkers—17 percent; among migrants—46 percent.

Life Expectancy: 41 years.

Health:

Category	Percent of norm
Infant mortality	125
Maternal mortality	125
Influenza, pneumonia	200
T.B. and infectious diseases	260

Occupational hazards

Pesticides: Deaths per annum, 150; non-fatal poisoning: Children, 3,000; adults, 800; per annum total, 3,550.

Occupational accidents

Farmworkers make up 7 percent of work force, but account for 22 percent of work related accidents. Occupational accident rate: 300 percent of norm.

LEGISLATION

Farmworkers Receive:

I. *No Coverage Under:*
- Workmen's Compensation
- Unemployment Insurance
- Temporary Disability Insurance
- Industrial Safety Laws
- National Labor Relations Act

II. *Minimal Coverage Under:*
- Social Security
- Wagner-Peyser Housing Regulations
- Child Labor Laws
- Minimum Wage

APPENDIX II

A Position Paper Supporting the Establishment of a National Office for Migrants and Seasonal Farmworkers With Responsibility for the Coordinated Administration of all National Migrant and Seasonal Farmworker Programs

Under the present structure of the federal government, the categorical programs presently delivering services to migrant and seasonal farmworkers are diffusely spread throughout several departments and agencies of the federal government (HEW, DOL, OEO, HUD, DOA). This has resulted in the lack of a unifying philosophy, ambiguity in the definition of federal organizational missions and priorities, lack of substantive coordination among its members, outright duplication among programs and jurisdictional rivalry among agencies.

Furthermore, the federal perception of the population-at-risk is as best nebulous, there being as many definitions of "migrants" and "farmworkers" as there are categorical farmworker programs. Definitions have grown from programmatic sources which are based on the travel function, while ignoring the fact that the problems are the same whether the worker is in-stream, in a home-base situation, or attempting to leave the stream. This multiplicity of federal definitions has:

a. made coordination of programs difficult.

b. created non-comparable data bases for each program thus making evaluation of total programmatic impact impossible, and

c. varied the farmworker's eligibility for benefits in a manner which deprives him of services when his need is greatest.

Consequently, the federal expenditure of millions of dollars in farmworker programming in the last several years has not significantly benefitted the target population.

Rationale for a National/Federal Migrant Office

Already among the most deprived in terms of health, education and social conditions, farmworkers face a constantly expanding crisis of unemployment due to the rapid mechanization of agribusiness. Past experience suggests that state and local governments are either unwilling or unable to meet the needs of farmworkers:

Residency requirements for social programs in some states prohibit their serving this mobil population.

Since farmworkers move through a number of states and regional jurisdictions, responsibility for meeting their needs is commonly shirked by any given area with the consequence that there is no firm focus on non-federal levels.

The documented lack of social opportunity and health and education resources in rural areas makes it difficult for state and local governments to meet the needs of many rural residents. Consequently, migrants and seasonal farmworkers are at the bottom of the list of priorities.

The GAO report, "Impact of Federal Programs to Improve Living Conditions of Migrants and Other Seasonal Farmworkers" is another example.

Based on these concerns, the creation of a National Office for Migrant and Seasonal Farmworkers seems to be the most feasible alternative to developing and facilitating a single comprehensive strategy to meet the needs of the migrant and seasonal farmworker through the federal government.

Combining the categorical programs presently delivering services to the migrant and seasonal farmworker under a single administrative office can stress the inter-relation of program areas as they affect the individual and family. This will focus on the inter-relationship between these programs in such a way that was not previously possible and will provide increased responsiveness to special concerns in each area. With one national office having the responsibility of federal activities, decisions involving the most effective allocation of resources and deployment of funds will be made at the national level by one single agency. This is in contrast to the present system which attempts to resolve migrant and seasonal farmworkers' problems with a multitude of government agencies and departments (see objective and programmatic functions of the National Office for Migrant and Seasonal Farmworkers).

RATIONALE FOR CREATION OF THE NATIONAL OFFICE FOR MIGRANT AND SEASONAL FARMWORKERS IN A FEDERAL DEPARTMENT OTHER THAN THE DEPARTMENT OF LABOR (DOL)

Because of the comprehensive social, educational, and environmental nature of farmworker problems and the incompatibility of most migrant programs with those presently being undertaken by DOL, creation of such an office in a governmental agency other than DOL is recommended.

Migrant programming includes a wide range of activities such as day care, emergency food and medical assistance, health, education, manpower, housing, etc. The DOL's focus is limited in scope, i.e. manpower. Thus, the total migrant and seasonal farmworker program deficiencies could be overcome in an agency other than DOL.

In the formulation of this document, numerous inquiries were made with migrant program staffs, grantees, and migrant and seasonal farmworkers and the result has been this draft.

In summary, the National Office for Migrants and Seasonal Farmworkers will require its own authority, resources, and flexibility. Such development of a single comprehensive strategy might be organized along the following lines:

Creation of this office should be done through Congressional legislation rather than Executive Order or merely the acceptance of a transfer of programs.

Creation of a regional structure under NOMSF for those regions currently having programmatic responsibility for migrants.

Delegation of current migrant and seasonal farmworker administrative and programmatic responsibility presently in other departments and agencies to NOMSF.

Designation of NOMSF migrant task force to begin working out the process and mechanism for the implementation of such strategy.

APPENDIX III

LISTING OF QUALIFYING STATEMENTS SUBMITTED TO DOL, BY STATE

(Revised as of September 13, 1974)

QUALIFICATION STATEMENTS

Analysis

1. Governors Office	27
2. Title III–B Grantees	44
3. Title I Prime Sponsors	29
4. Others	51
5. Community Action Agencies	19
6. O. I. C.	1
7. S. E. R.	3
8. Consortium	12
Total	186

REGION I

Maine

State of Maine
New England Farmworkers Council
Penobscot-Passamaquoddy Planning Board

Connecticut

State of Connecticut Department of Community Affairs
New England Farmworkers Council

Massachusetts

New England Farmworkers Council

New Hampshire

New England Farmworkers Council

Rhode Island

New England Farmworkers Council

Vermont

New England Farmworkers Council
Office of Manpower Services, State of Vermont

REGION II

New Jersey

Middlesex County Office of Manpower Management, Planning & Evaluation
State of New Jersey, Dept. of Labor & Industry
Congreso Boricua De New Jersey
Farmworkers Corporation of New Jersey
The Archway School

New York

National Puerto Rican Forum
Wayne County Board of Supervisors
State University College of Arts and Science
Community Action Organization
Suffolk County Migrant Health Project
Orange County Manpower Administration
Steuben County Economic Opportunity Program, Inc.
Program Funding, Inc.
State of New York Department of Labor

Puerto Rico

Division of Federal Affairs, Municipality of Ponce
Commonwealth of Puerto Rico Department of Labor

REGION III

Delaware

Department of Planning and Development, City of Wilmington
Delmarva Ecumenical Agency

District of Columbia

Maryland

Dept. of Employment & Social Services

Pennsylvania

Pennsylvania Council of Farmworkers
Pennsylvania Health Research Institute, Inc.
Commonwealth of Pennsylvania
Manpower Planning and Operations Office

Virginia

Migrant and Seasonal Farm Workers Assoc., Inc., North Carolina

West Virginia

Migrant & Seasonal Farm Workers Association, Inc., North Carolina
State of West Virginia Governor's Office

REGION IV

Alabama

Alabama Migrant & Seasonal Farmworkers Council
Federation of Southern Cooperatives
Alabama Dept. of Industrial Relations

Florida

OMICA—Organized Migrants In Community Action
Hillsborough County Schools, Adult Education & Community Schools
Central Region Community Development Board
Metropolitan Dade County
Palm Beach County
Community Action Migrant Programs, Inc.
Orange County
Florida Department of Education
Florida State Office of the Governor

Georgia

Southwest Georgia Community Action Council, Inc.
CSRA Economic Opportunity Authority, Inc.

Kentucky

Community Action Lexington
Kentucky Manpower Council

Mississippi

Governor's Office of Education and Training
Star, Inc.
Mississippi Delta Council for Farm Workers Opportunities

North Carolina

Migrant & Seasonal Farmworkers Association
State of North Carolina Governor's Office
Rural Advancement Fund

South Carolina

South Carolina Resource Development Corporation
South Carolina Commission for Farm Workers, Inc.

Tennessee

State of Tennessee, Dept. of Economic & Community Development
Tennessee Opportunity Programs for Seasonal Farmworkers, Inc.

REGION V

Illinois

Illinois Migrant Council

Indiana

Mid West Council of La Raza, Inc.
Manpower Planning Council
Board of Lake County Commissioners
Amos, Inc.

Minnesota

Rural Minnesota CEP Inc.
Migrant Action Program
State of Minnesota Governor's Manpower Office
Minnesota Migrant Council

Michigan

State of Michigan Department of Labor
SER Jobs for Progress, Inc.
United Migrants for Opportunity, Inc.
Cooperative Extension Service, Mich. State Univ.

Ohio

Cleveland Area Manpower Planning Council
Economic Opportunity Planning Assoc. of Greater Toledo, Inc.
Dept. of Economic and Community Development
La Raza Unida de Ohio

Wisconsin

Organization Hispano Americana
Office of the County Executive
United Migrant Opportunity Service

REGION VI

Arkansas

Arkansas Council of Farmworkers, Inc.

Louisiana

South Mutual Help Association, Inc.
Manpower Education and Training

New Mexico

City of Albuquerque Office of Manpower Programs
Home Education Livelihood Program, Inc.

Oklahoma

Oklahoma Rural Opportunities, Inc.

Texas

Community Action Council of South Texas
City of El Paso Texas (Manpower Planning)
City of Corpus Christi, Texas
La Federacion (Texas Consumer Education Comm)
SER Job's for Progress, Inc.
Llano Estacado Farmworkers of Texas
Costal Bend Migrant Council Inc.
Hidalgo Willacy Counties Joint Manpower Programs
Central Coast Counties Development Corporation
South Plains Community Action Assoc., Inc.
Cameron County Manpower Progress
Chicanos Unidos Campersimos, Inc.
Alamo Manpower Consortrium
Governor's Office of Migrant Affairs Texas
Texas Migrant Council
Manpower Education Training Inc.
Southwest Migrant Association
Amigos Unidos Federal Credit Union
Juarez-Lincoln Center
Association City-County Economic Development Corp.
Economic Opportunities Development Corp.
County of Webb Laredo, Texas
Community Action Corp., Wichita Falls and North Texas
Mexican-American Council for Economic Progress, Inc.

REGION VII

Iowa

See: MINN (m.ap.) Joint Service
Migrant Action Program, Inc. (see Minnesota and Nebraska)
Migrant Action Program
Migrant Action Program, Inc.

Kansas

Economic Opportunity Foundation, Inc.
Los Cinco Pueblos, Inc.
Kansas Council of Agriculture Workers and Low-Income Families, Inc.

Missouri

West Central Missouri Rural Development Corp.
Rural Missouri, Inc.
Division of Employment Security (Department of Labor and Industrial Relations (Governor's Office)
Delta Area Eo Corporation

Nebraska

Nebraska Human Resources Research Foundation
Migrant Action Program, Inc.
State of Nebraska DOL

REGION VIII

Colorado

North Dakota

Project Adelante Colo
Colorado Migrant Council

Montana

North Dakota

Migrant Action Program Iowa/North Dakota
Governor's Office Migratory Farm Committee
Minnesota Migrant Council/North Dakota

South Dakota

Migrant Action Program Inc./for South Dakota
State of South Dakota
Minnesota Migrant Council/South Dakota

Utah

Utah Manpower Planning Council Utah Migrant Council

REGION XI

Wyoming

Arizona

The League of United Latin Americans Citizens
City of Tucson
Portable Practical Educational
Preparation, Inc.
Arizona Job College
U.S. Department of Labor/Arizona Dept. of Economic Security
Migrant Opportunity Program

California

SER/Jobs for Progress, Inc.
Regional Employment & Training
Proteus Adulting Center Inc.
Self Help Enterprises
Community Service Center
State of Calif. Employment Development Dept.
Imperial County Manpower Administration
Campesinos Unidos, Inc.
County of Ventura County Boardsupervisor
Kern County Economic Opportunity Corp.
Western Conference of Teamsters Agriculture Worker Organization Committee
Ivland Manpower Association Manpower Area Planning Council
Target Community Citizens Art/Poverty Council (TAP)
Western Conference of Teamsters Agricultural Workers Organizing Committee
City of Stockton Manpower Department City Hall
Economic & Social Opportunities, Inc.
Rural Manpower Laboratory
Economic Opportunity Commission of Imperial County, Inc.
Dept. of Manpower Development & Training
United Council Spanish Speaking Organizations, Inc.
Stanistaus County Department of Education
County of Tulare
Sacramento Area Economic Opportunity
Sacramento Con Cilio, Inc.
Multi-County Rural Migrant Manpower Consortium Fresno
Greater Calif. Education Project
Fresno City-County Manpower Commission
County of Solano % Personnel Department County Courthouse Annex
Sacramento—Yolo Manpower Agency
O.I.C.
Orange County Manpower Commission

Hawaii

Maui Economic Opportunity Inc.
State Manpower Planning Council Office of the Governor

Nevada

Manpower Planning Council, Carson City, Nevada
Economic Opportunity Board of Clark County, Nevada

REGION X

Alaska

Idaho

South Central Community Action Agency
Idaho Migrant Council

Oregon

Malheur County Child Development Center
Parkdale Child Development Center
Migrant & Indian Coalition for Coordinated Child Care, Inc.
Woodburn Child Care Clinic, Inc.
Valley Migrant Oregon
The Mid-Willamette Valley Manpower Consortium

Washington

Northwest Opportunities
State of Washington Office of the Governor

APPENDIX IV

ARIZONA JOB COLLEGES, INC.,
Casa Grande, Ariz., September 19, 1974.

DEAR MR. FIERRO: Over the past year, Arizona Job College has tried to work cooperatively with Mr. Paul Mayrand and his staff from the Department of Labor's Migrant Division. We have been unsuccessful, and now Paul Mayrand is trying to close us down.

I have enclosed materials explaining our program, along with the qualification statement submitted to Mr. Mayrand. For your information also, I have included the State of Arizona qualification statement so that you can compare ours with the States.

The State of Arizona has not had a very good reputation in serving Migrants and Seasonal Farmworkers. In fact, their record is one of shame. In contrast, Arizona Job College has been serving complete intact migrant and seasonal farmworkers since 1970 in a comprehensive system of service, as you can see in our booklet.

Mr. Mayrand continually states we are too expensive, yet he only contributes $57,500 a month to a monthly operating budget of $115,000. His office contributes 50% while H.E.W., The Ford Foundation, the State and County contributes the other 50%. Mr. Mayrand gets a quality program serving migrant complete families from Child Development, to Job Placement and he only pays half the cost. He has a sweet deal working with us and now he wants to close us. His reason—we are too expensive. He intends to close us by awarding the State's allocation of $989,200 to the Department of Economic Security, the State's arm for social services.

He must not be allowed to get away with this. We have informed Fernando DeBaca, John Huerta, Al Gonzales, Senator Goldwater, Senator Fannin and Congressman Conlan, of what Mr. Mayrand is trying to pull. I ask you to help us stay open to serve our people.

Arizona Job College should be the Grantee for the State of Arizona, not the Department of Economic Security.

Thank you for any help you can render.

Sinceramente,

PETER R. AGUILAR, JR.,
Assistant Project Director.

APPENDIX V

DISTRIBUTION OF ALLOCABLE SECTION 303 FUNDS FOR FY 75 AS COMPARED TO FY 74 DISTRIBUTION OF TITLE III–B EOA FUNDS BY REGIONS

REFERENCE: DEPARTMENT OF LABOR'S ALLOCATIONS OF SECTION 303 FUNDS

DISTRIBUTION OF ALLOCABLE SEC. 303 FUNDS FOR FISCAL YEAR 1975 AS COMPARED TO FISCAL YEAR 1974 DISTRIBUTION OF TITLE III–B EOA FUNDS

State	CETA rank	Title III rank	Fiscal year 1974 (1)	Allocation formula (2)	Intrastate (90 percent)	Interstate (10 percent)
California	1	2	$3,550,000	37,145,000	20.6	20.1
Texas	2	1	4,556,000	5,156,000	16.5	.2
North Carolina	3	5	1,[illegible]75,000	4,034,000	12.5	3.9
Florida	4	3	2,0[illegible],000	3,239,000	9.3	9.7
Puerto Rico	5	28	0	1,828,000	5.9	0
Washington	6	13	628,000	1,418,000	3.7	7.5
Arizona	7	8	1,029,000	968,000	2.8	2.4
Oregon	8	15	600,000	778,000	2.1	3.6
Mississippi	9	9	1,000,000	900,000	2.3	0
Tennessee	10	24	350,000	700,000	2.2	.1
Kentucky	11	0	0	593,000	1.9	0
Michigan	12	7	1,142,000	1,078,000	1.9	7.4
Ohio	13	23	200,000	551,000	1.3	4.4
Georgia	14	25	300,000	493,000	1.6	0
Oklahoma	15	33	132,000	491,000	1.5	.9
New Jersey	16	18	510,000	459,000	.6	7.5
Pennsylvania	17	30	243,000	432,000	1.2	1.5
Idaho	18	22	513,000	461,000	.9	2.9
Kansas	19	0	0	364,000	1.1	1.0
South Carolina	20	12	898,000	808,000	.9	1.5
New York	21	17	650,000	585,000	.6	4.5
Montana	22	35	0	326,000	.8	1.9
Hawaii	23	0	0	266,900	.8	0
Connecticut	24	31	248,000	237,000	.4	2.8
Virginia	25	37	0	226,000	.6	1.2
Iowa	26	29	158,000	225,000	.7	.1
South Dakota	27	12	0	224,000	.7	0
Massachusetts	28	34	128,000	219,000	.5	1.6
Colorado	29	6	1,052,000	947,000	.4	2.1
North Dakota	30	0	0	205,000	.5	1.2
Alabama	31	10	900,000	810,000	.6	.3
Louisiana	32	21	476,000	428,000	.5	0
Illinois	33	14	810,000	729,000	.2	2.4
Maryland	34	36	0	115,000	.3	1.0
Nebraska	35	27	0	104,000	.3	.5
Indiana	36	20	782,000	704,000	.1	2.0
Arkansas	37	19	575,000	518,000	.3	.1
Maine	38	0	0	100,000	.3	0
Missouri	39	16	568,000	511,000	.3	0
Delaware	40	0	0	100,000	.2	1.0
Wisconsin	41	11	550,000	495,000	.2	.7
Utah	42	26	511,000	460,000	.1	.8
Nevada	43	0	0	106,000	.2	0
New Mexico	44	4	1,000,000	900,000	.1	.6
Minnesota	45	32	141,000	127,000	.1	.1
Wyoming	46	0	0	100,000	.1	.2
New Hampshire	47	0	0	100,000	.1	0
Rhode Island	48	0	0	100,000	.1	0
District of Columbia	49	0	0	100,000	0	0
West Virginia	50	0	0	100,000	0	.1
Alaska	51	0	0	100,000	0	0
Vermont	52	0	0	100,000	0	0
Total			27,790,000	42,208,000		

[1] Does not include: High school equivalency programs (HEP), college assistance migrant programs (CAMP), emergency food and medical services (EFMS), permanent housing programs, information and research activities (Juarez-Lincoln Center), national contracts, technical assistance, evaluation contracts.

Source: Department of Labor, 1974.

Subject: Section 303 National Account Funds

The following reflects our position with respect to the National Account Fund for FY '75:

I.—Assuming a level of $52.7M, we will have a National Account of $10,541,000 for the following:

1. Transition of all programs to Jan. 1, 1974	$957,000
2. Rural Housing Alliance	1,500,000
3. Juarez-Lincoln (Clearinghouse)	400,000
4. MACEP (economic development)	400,000
5. HEP/CAMP	3,750,000
6. OASA audits	200,000
7. Phaseout funds after Dec. 1 announcement (variable from $0–2M)	500,000
Sub total	7,407,000
8. Contingency	3,134,000
Total	10,541,000

(20% of $53M)

II.—Assuming a level of $67M we will have a national account of $13,400,000 for the following:

1–7 as above	7,407,000
8—Contingency	5,993,000
Total	13,400,000

(20% of $67M)

III.—Hold Harmless: Our 4-part formula for the distribution of allocable funds includes $6M in hold harmless funds. A comparison of the projected two possible funding levels above shows that in the $57.7M budget there is a shortfall of $3M to take the hold harmless from the National Account and a shortfall of $400,000 in the $67M funding level. Therefore, it would not be possible to take the hold harmless funds from the level without severely reducing National Account activity but barely possible to do so from a $67M level National Account budget. The latter is not advisable since we have no experience as to the actual contingency level required to manage a new program. While in transition from an old program with an unclear mortgage.

IV.—Suggestions for Contingency Fund:

1. Expand efforts of Inter'l Electrical Union contract to additional unions if proven successful: Cost: $800,000

2. Increase Rural Housing Alliance, if necessary to include Rural California Housing and Self-Help Enterprises (SHE) which are not included in FY '75 budget in order for national coverage request funds. Cost: $800,000

3. Fund HEP/CAMP for 12 versus the proposed 9 months to avoid having a greater mortgage in FY '76. Cost: $1.2 million

4. Emergency set-aside (per standing committee) for crop freezes, EFMS, etc. Cost: $1 million Total: $3.5 million

SECTION 303 FUNDS—$53 MILLION

Allocable equal 80 percent times $53 equal $42 million.

Four Factor: 1—instate; 2—interstate; 3—hold harmless; 4—$100,000 minimum

(1) National yearly average: 500,000—instate (RMS data plus census or agriculture); 50,000—interstate (RMS).

(2) Determine ratio factor 1 to factor 2 equal 90–10 (adjusted annually).

(3) Divide allocable dollars preliminarily equal $37.8 for factor 1, $4.3 for factor 2.

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(4) Determine ideal State share ignoring hold-harmless and minimum, e.g., Lilliputia 50,000 in plus 1,000 inter; State percent of National equal 10 percent plus 2 percent.

(5) Ideal Lilliputia share: $3.78 million plus $.984 million equal total $3,864 million.

(6) Compute impact of hold-harmless, e.g., Lilliputia gets $5 million FY 74, entitled to $4.5 million (90 percent of $5 million).

(7) Subtract total impact of hold-harmless and minimum ($6.6 million) from allocable $42 million equal $35.4 million.

(8) Recompute State share using percent established in step 4 above.

(9) Thus all States either increase or decrease because of hold-harmless and minimum factors.

(10) Amount of decrease is minimized because 35 States share the impact proportionately.

APPENDIX VI

MANPOWER PROGRAM DIGEST, SEPTEMBER 13, 1974

NEARLY 3,000 ALIEN WORKERS CERTIFIED TO PICK APPLES AND PLANT SUGARCANE

As of September 6, the Labor Department has approved the certification of 2,023 alien workers to pick apples in New England, New York, Virginia, and West Virginia.

Another 791 certifications were issued for foreign workers in planting sugarcane in Florida.

The employment services in those states determined the need for alien workers to fill the requirements of the growers.

Mr. FIERRO. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee: I want to thank you for the opportunity to be here today to present testimony in support of the proposed legislation that will establish a national office procedure for migrant and seasonal farmworkers.

As you know, for the last 2 years we have been strongly advocating the creation of one agency at the national level to be more responsible for migrant and seasonal farmworkers.

I am optimistic that these hearings can contribute greatly to expedite the creation of such an office.

As I have indicated, accompanying me today is Mr. Carlos Besinaiz, former director of Whatcom-Skagit Rural Opportunities Council, an OEO III-B grantee.

Mr. Besinaiz has also served as a management and program planning consultant to OEO-funded III-B grantees for the last 3 years.

In my testimony today I will not reiterate the numerous statistics that have been used to portray the low socioeconomic status of the migratory and seasonal farmworker.

I will assume the committee is properly informed of the current socioeconomic conditions of migrant and seasonal farmworkers, and, in the interest of time, I would rather refer you to appendix I, which succinctly describes the present migrant conditions.

I would, however, like to bring to your attention certain other items which I feel contribute to the support of the need for a national office for migrant and seasonal farmworker programs.

I would also like to focus your attention on the current status of the OEO III-B migrant grantees as well as current activities in the Department of Labor which I feel further demonstrate the need for a national plan and startegy to ameliorate the problems of migratory and seasonal farmworkers.

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I will also offer some brief observations on current activities in Congress which will hopefully hasten the creation of the national office. Near the end of my testimony I have included some recommendations I hope the committee will seriously consider.

Let me go over some of the experiences we have had relative to the rationale for a national office.

At present, the problem of providing comprehensive services to the migrant and seasonal farmworker is that Federal and State programs directed at this highly mobile population are splintered.

No department or agency has the resources, manpower, nor programmatic competence to cope with the multiple problems in their entirety; yet, little effort is going into cooperation and coordination which would increase the efficiency in service delivery to migrant and seasonal farmworkers.

Categorical programs presently delivering services to migrant and seasonal farmworkers are shiftlessly spread throughout several departments and agencies of the Federal Government (HEW, DOL, HUD, and DOA).

In the past, congressional committees, public agencies, and private businesses have conducted a number of studies on the problems which confront the migrant and seasonal farmworker population. In most cases, the findings produce similar or complementary conclusions and recommendations.

Specifically, these studies identify the need for strong, unified direction and coordination of migrant and seasonal farmworker programs by Federal, State, and local agencies.

In the fall of 1969, for example, the migrant research project, an OEO sponsored and funded program, initiated a 2-year study of the living and working conditions of migrant and seasonal agricultural farmworkers. An excerpt of the 1970 report states that:

> The migrant research project has observed programs which have either been established for migrants in the past few years or which should serve migrants as part of their overall responsibility. Each program observed seems to possess many good qualities. The majority, however, singly or collectively, appear to lack the thrust necessary to accomplish the overall goal of alleviating the poverty of the farmworkers. Of necessity, this will not be true until the activities of all—Government and the private sector—coalesce their efforts to stem the decay of the country. Only then will the poverty of the farmworker be solved.

Pursuant to a congressional request, the General Accounting Office undertook in 1971 to survey the impact of Federal programs on the living conditions of the farmworkers.

GAO auditors examined in depth Federal programs for farmworkers in six geographically dispersed sites; each site was a county with a very high incidence of farmworkers in a State that is a heavy user of seasonal agricultural labor. The States in which the six counties were located are Texas, Florida, California, New York, Michigan, and Washington.

The findings and conclusions of the GAO's 1973 report to Congress, entitled "Impact of Federal Programs To Improve the Living Conditions of Migrant and Other Seasonal Farmworkers," were that:

> Although the Federal Government's programs provided needed services for many of the estimated 100,000 migrant and other seasonal farmworkers and their dependents in the six areas, the amounts of funds made available in rela-

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tion to the total target population—estimated by the Office of Economic Opportunity at five million—and the magnitude of their problems have limited the program's effectiveness. Budgetary constraints will almost certainly continue to limit progress in meeting these farmworkers' needs.

Administrators, however, need to improve the operation of their programs to more effectively aid participating migrant and other seasonal farmworkers and their families.

The GAO report continues to note that the breakdown in the effectiveness of the programs is due to the fact that:

Services are provided on a splintered basis through many programs, each having separate legislative authority and intent. Because the results of one program have an impact on other programs, an overall plan and common direction of effort are needed to guide these Federal assistance programs and strengthen their impact on improving the living conditions of migrants and other seasonal farmworkers.

Upon recommendation of the GAO report, the Office of Management and Budget (OMB) convened an interagency task force in early June 1972 to discuss the GAO report and consider the recommendations of that report.

In brief, the task force agreed that the lack of a national policy and coordination mechanism is one of the main causes of the problem. To this day, there has been little, if any, followup on the task force's own recommendations and conclusions.

From the reading of the reports thus far cited, one can conclude that it is a general consensus that a strong, clearly identifiable, centralized national program is required to insure a more effective and efficient administrative mechanism for the provision of services to migratory and seasonal farmworkers and their families.

Numerous other studies could be cited, but, in the interest of time, I again respectfully refer you to RASSA's own position paper supporting the establishment of a national office which is attached as appendix II of this testimony and which further contains a rationale for the establishment of a national office for migratory and seasonal farmworkers.

I am not going to go into the background of the OEO III–B since you are familiar with the OEO III–B programs and transfer of these programs to the Department of Labor.

Let me briefly point out some of the programs authorized by the title III–B of the Economic Opportunity Act of 1964.

The transfer took place this past year. Additionally, there was $40 million for the program in 1974.

Let me say that the existing III–B programs are scheduled to operate well into fiscal year 1975.

The administration's proposed budget for fiscal year 1975 does not include a request for continuation of title III–B funding. Therefore, section 303 of CETA may well be the prime source of Federal funds potentially available to agencies and organizations now carrying out III–B projects.

The title III–B grantees exhibited a coordinated effort with a commendable degree of success in spite of numerous obstacles.

As will be demonstrated in the next section, the DOL's approach to title III–B grantees will dilute their successful efforts through its "shotgun" approach in the distribution of the section 303 CETA moneys to all States.

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Also, there is no guarantee that the III-B grantees will continue to be funded by DOL. Of the 66 III-B grantees of 1975, only 41 have submitted qualifying statements to DOL (see appendix III).

This does not mean that these projects will be funded since competition for the section 303 CETA moneys is basically open to any request that meets the criteria of DOL, as stated in the August 6, 1974, publication of the Federal Register.

Under these guidelines, I might disturbingly add, even the Teamsters Union qualifies for funding and has submitted a qualifying statement to DOL (see appendix III).

I would now like to address myself to current activities in the Department of Labor which I feel further demonstrates the need for a national coordinating and monitoring mechanism for the administration of migrant and seasonal farmworker programs.

Of deep concern to RASSA is the current manner in which DOL is implementing title III, section 303 of the Comprehensive Employment and Training Act of 1973 (CETA).

Title III, section 303, identified migrants and seasonal farmworkers as a national priority target group and requires that a minimum of 5 percent of the amount allocated for title I be appropriated for this purpose.

The legislation clearly establishes that the problems characterized by seasonal employment and the vagaries of the agricultural industry deserve special programmatic directions.

Consequently, DOL will have $62.7 million title III, section 303 moneys in its national account fund for fiscal year 1975 to be allocated to the best qualified programs throughout the United States.

I would like to point to the index that you have before you. As you will see these programs, right after page 12, were constituted at one time. These 66 programs that were geared to very flexible operations in terms of comprehensive sources that were being provided to the migrant population.

Additionally, in figure 2 you will see the patterns of the migratory labor stream that originated in south Texas.

Additionally, in figure 3 we have given you the allocations of funds per region in the last year for migratory programs.

You will see that the main effort at that time was to provide moneys to impact areas that needed migrant services. You will notice that the section 303 allocations formula, you will see that those moneys have been diffusely spread throughout the country. They are no longer concentrated in those agricultural areas where migrants are to be found or where they are traveling in the migrant streams.

The moneys or programs or the allocations of funds presently are going to be distributed by DOL. It seems to me that today all of a sudden we have migrants in every State in the country.

At one time, you know, the statistics put out by the Department of Census, the Agriculture Department, was saying that the population of migrants was decreasing and that they needed more concentrated efforts in those specific areas.

Here today I have given you an explanation of the DOL figures where they have provided moneys to every State in the country. We

have also given you the analysis of every program that has submitted an application for migrant moneys.

This is the old story. When the moneys are available everybody is going to come after them in spite of the fact they have no experience, no sensitivity as to the issues or problems of migrants or the way to solve those problems.

One of the things that we are very concerned about, in the back page appendix 3 we give the qualifying statements. As I indicated at one time, there were 66 programs funded to provide services to migrant farm workers. Today in the Department of Labor there are 186 applications of qualifying statements, not that they will all be accepted but that is the interest and enthusiasm in trying to assist the population that we are talking about.

An interesting fact, Congressman, is an area, like the State of Alaska, Washington, D.C., qualifies for money for migrants where formerly there were never any identifiable migrants in this area. It is the most incomprehensible judgment that DOL in their allocation of funds I think deserves more than oversight hearings on that agency's use of those funds, the misallocation of funds and resources to impact the population we are talking about.

Mr. Fish. What is the source of the figure you have on page 13?

Mr. Fuqua. That is Department of Labor.

Mr. Fish. Who is the person responsible for those figures?

Mr. Fuqua. Mr. William Kolberg is responsible for that. That came out of his own office.

Mr. Fish. I can visualize the rationale for a program in the District of Columbia quite readily, as I can visualize the need for a program in Detroit. It is highly conceivable that there may be an attraction to the city of people who need job training in order to get out of the migrant stream. But I can't imagine how you can attract migrants to Alaska.

Mr. Fuqua. I have no idea.

Mr. Fish. I thought the problem in Alaska was a shortage of workers, not an unemployment problem. I think that we will take a look and find out how they can spend $100,000 in Alaska.

It is particularly interesting to me because a substantial number of people drop out of the migrant stream each year in Michigan and become citizens of our State when right now we already have 10.5 percent of the work force unemployed.

It is extremely difficult to accommodate additional people in the work force without job skills that are readily usable in the kind of sophisticated industry we have there.

Mr. Fuqua. I might point out on the last page it shows the distribution of allocation of section 303 moneys. Your own State of Michigan at one time was ranked third in terms of the use of migratory seasonal farmers. It is on the very back page, I think it is the fifth page from the end. It ranks the State of Michigan seventh in title III ranking on the left-hand side.

In this new CETA ranking, your own State ranks 12th. There will be a decrease of funds for your particular State this coming year. As you can see, these figures come from the Department of Labor. There is the distribution of moneys, where it has gone and how. Also it indicates the interstate migrant population.

The rationale for some of these States receiving money and the target population that they have, you know, again I can't understand the rationale they have used to provide the formula.

At one time, for example, in the State of California there were three grantees that were being provided $3 million for manpower programs of the $7 million that are going to be allocated this coming year.

There are about 86 applications which include even the Teamsters Union applying for the CETA moneys.

Mr. Fogo. You don't object to the unions applying for CETA moneys?

Mr. Fierro. I don't object to the unions at all applying for manpower moneys but I do object to unions who are in labor disputes in the agricultural areas. I think there is a conflict of interest when the Government subsidizes a union that is in conflict of interest with another over farmworker interest.

Mr. Fogo. I think you will find that very language in the records of this committee, but it would be coming from the National Association of Home Builders and National Builders Association. That is exactly what they tell us about the building trades every time they have some trouble, that we ought to withhold Federal programs that the unions administer.

We may not like a particular union's current leadership, but we had better not make policies with regard to all of them in that way. If we are going to undertake what we hope to be an ambitious building program in this country, you want, for example, these funds to get into jobs in the building trades.

One of the best places for people to train for employment would be in the building trades. It would be extremely difficult to try to administer any kind of job training program except through the building trades union.

As a matter of fact, it is Federal programs that are putting minority groups into building trades. We are using Federal dollars and the incentives for labor organizations accepting people who have heretofore been left out of the trades. It is a very logical way to handle these funds.

I think I understand your problem with the Teamsters, but I want to make it clear on the record that that is a feeling you have toward the Teamsters and not toward the concept of union receipt of funds.

Mr. Fierro. Not at all, because we have discussed that with the AFL–CIO.

Let me point out one thing, Mr. Chairman. In our discussions when we initiated legislation through Mr. Roybal and yourself and discussed it with you, one of the concerns that people have, especially the labor unions, in setting up a national office—here we are talking about a national structure and the legislation addresses itself to that—dealing with programmatic efforts, one of the concerns that the AFL–CIO had was that program moneys would be taken out, for example, from labor to be used under this other umbrella.

That was not the intent of the legislation. That was not the intent initially and it is not the intent today. What we are saying today is that we want a national structure to provide coordination, monitoring, an assessment and development of policies across the board for all Federal agencies that have migrant workers and farmers.

So, it does provide a single comprehensive philosophy and strategy.

For example, the shotgun approach presently being used by DOL of funding in every State, given 186 proposals to be funded, what is the strategy that is going to be used? What is the long-range strategy of impact on the area in south Texas, the reserve States like Michigan, States like California where you have a tremendous population of season workers?

There is no concerted effort to project on a given year plan what the priorities will be next year, and the next year, what they will do in terms of resolving so that we can see results.

DOL should be reporting to Congress what kind of result they are going to achieve this coming year in terms of alleviating the problems of the seasonal farmworkers.

Let me point out one thing. You mentioned the Washington, D.C. area and the employment situation and the way things are throughout the country today.

Here we talk about a population that is decreasing, yet we have more moneys. Every State is qualifying for those moneys. At the same time we are talking about high unemployment in the country.

In a recent article appearing in the Washington Post, and I point to page 14, the Department of Labor on September 6 approved the certification of over 2,000 alien workers to pick apples in New England, New York, Virginia, and West Virginia.

In addition to that, DOL certified another 791 foreign workers to plant sugar in Florida.

Again, there are so many contradictory philosophies being implemented here that I can't conceive how we can really address this problem where at one end the Department of Agriculture is saying one thing, DOL is doing something else, and other agencies are doing the same thing. That is not going to solve the problem. We have enough workers in this country to address ourselves to the situation here. That is a continuation of the bracero program over 10 years ago. It is no different from the bracero program that we had before.

Mr. FORD. This is a little different. This is closer to slavery.

Mr. FIERRO. I agree with you.

Mr. FORD. We got into it last year when we discovered they were bringing people from the British West Indies to pick apples in West Virginia. I was somewhat amused by one of the big corporate farmers who said the reason he liked Jamaicans as apple pickers was they were so much more skillful at picking apples than the indigenous farmworkers are. I don't suppose any of those fellows ever saw an apple until they brought them up to Virginia to pick them.

When we were in Florida they told us that they liked Jamaicans because they were used to working in the hot cane fields. They worked hard. They were not bothered by the sun and so on. That was the reason there.

As a matter of fact, what they do is import them. They have people down there who literally sell their services in a package. They are using the same people to cut cane and pick apples. That same fellow is a very adaptable guy. He is better at cane cutting than a Florida worker. He is a better apple picker than someone in the District of Columbia who needs a job in the country.

Mr. FIERRO. Is there any solution to that?

Mr. FORD. We have been working with the Labor Department to try to make them follow the law on granting the certificates. If they were a little tougher with that certification, you could go 30 miles from Washington, and instead of finding Jamaicans picking apples you would find some of the people who need work in the District of Columbia picking apples. But it is a lot easier to do it with a passive group of people who, if they get slightly out of line, can be shipped back home.

Also, they want to stay until the end of the season no matter how bad the picking is.

Mr. FIERRO. That is why we resist DOL's strategy in assisting migrant farmworkers. We question even the ethics and morality of what they are doing in terms of the moneys, in terms of these programs.

I think that a more comprehensive in-depth study ought to be done in terms of that Department's utilization of these current funds that are going to all these programs in all these States.

That is why we are strongly advocating this national office because of the need to coordinate the strategy, the plans and to monitor these programs as to what they are doing and to report to Congress because I know Congress and your committee has an awful lot of work to do but I think that this kind of reporting will alleviate or assist in alleviating some of the problems.

Let me point out also that while we are talking about the national umbrella to deal with migrant and seasonal farmworkers we are also talking about on the Senate side just recently when the Committee on Poverty and Migratory Labor passed or amended the OEO act to include a national office for seasonal farmworkers.

In that amendment it sets up a national structure very comparable to the one that is in Congressman Roybal's legislation. I would like, hopefully because of the time because Congress will be adjourning very shortly, this committee to recommend to the conferees—talking about the national office contained in the OEO act on the Senate side submitted by Senators Nelson, Kennedy, and Mondale, there is language in the OEO bill that reflects the establishment of a national office in that legislation.

I know that Mr. Hawkins' committee has already passed legislation in the House on OEO. In the Senate language there is language that relates to the establishment of a national office for migrant and seasonal farmworkers.

We hope this committee will review the legislation—because of the timeframe that we have here we may not be able to get this bill through Congress this year—and there is a recommendation by this committee to support that national office in that legislation.

Again, let me say that I would like to conclude my statement but I would like to have the full text of the statement inserted in the record.

If you have any further questions, Mr. Chairman, and Mr. Landgrebe, I will be delighted to answer them.

Mr. FORD. I think there is no more serious reason for selecting HEW as the parent agency than the fact that HEW presently has the administration of most of the programs dealing with migrant and seasonal farmworkers and their families.

Mr. FIERRO. The reason at the time that HEW was selected is because there was going to be a transfer of title III to DOL. At that time we felt that the agency was not going to be sponsor receptive to migrant issues.

As a result, we suggested the HEW structure. What we are saying also is that wherever that structure is, whatever comes out of this legislation, whether it is OEO contained, under the HEW umbrella or whether it is an independent agency, we would like to see a national desk, a national office for migrant and seasonal farmworkers.

HEW does have today the most initiatives for migrant programs than any other agency. At one time when the former Secretary was there he was very receptive of giving the committee counsel a letter where HEW was extremely interested at that time when the traffic was taking place. They wanted the migrant programs to come under their auspices. They recommended very strongly to the President and to the OEO people who wanted these programs.

Again it did not come about. There was never any action. It was simply transferred to DOL.

Mr. FORD. Mr. Landgrebe.

Mr. LANDGREBE. I don't believe I have any questions, Mr. Chairman. I just heard a discussion about the bill yesterday. I will await an opportunity for a little more study by myself.

Mr. FORD. Mr. Mosse.

Mr. MOSSE. I would like to ask a question concerning the nature of migratory workers. It is difficult to determine where to allocate monetary benefits when you are not quite sure, because of the transitory nature of the people you are trying to help, exactly where they will be geographically at a given time so that they can directly receive the funds that are set aside for them.

My question is, is there sufficient information available to guarantee that in the event funds are appropriated for the benefit of certain workers, they will be there to receive them?

Certainly no one would question our cause. The migrant laborers deserve all the help we can give them. It sems a shame to me, considering this example in your testimony, to be allocating funds and not have them reach or benefit the people who need them the most.

Mr. BESINAIZ. I think that within the span of time that DOL determined what States would be receiving what amount of allocation those experienced agencies were completely ignored as to the source of information and consultation, for example, as to the type of data that would be needed to determine the allocation per State.

I think that the data or source of data were ignored by DOL whenever they did decide to allocate "x" amount of aid.

Mr. FORD. When we enacted H.R. 69, the Elementary and Secondary Education Act, once again we set aside in title I for migrant children a preferred category for distribution of funds. We made a very dramatic change in where the money was to go by shifting to the use of computers at Little Rock (Migrant Student Record Transfer System). We used to use an arbitrary kind of ratio to count the number of people the Labor Department said was in the migrant stream and estimating the number of children in school age they might have.

Now, we know exactly what we have and we know within a week when they move. There is one central data bank that has been building now for several years in Little Rock, Ark. It is a federally funded program, for all of the 48 mainland States.

That is another reason that makes me scratch my head about migrants in Alaska. We excluded Alaska because we never knew they had migrants.

Mr. FIERRO. We know where the migrants are, we know where they are going, we know where the crop areas are. That has been documented and documented again.

Additionally, the Little Rock data bank is available. Again the strategy that DOL is using, it ignores all those facts, all those figures, for whatever other reason they can justify it. They ignore all of those. OEO had a very good delivery system for migrants. They initiated very innovative ways of following, where you indicated where they are going to go. They had mobile vans that would follow the migrants to different areas, that followed the stream.

They would take Head Start programs, day care programs, adult education programs along with them. Those have been eliminated. There are no more programs at all.

Mr. FORD. There is a serious problem in spite of all the effort. There has never been any centralized effort in anything except education. You remember the bitter fight we had in the conference committee on keeping the status that we maintained for the migrants. That is one of the things that I very frankly traded for some of the things I didn't like in that bill. One of the few little victories we won in there. What they were really screaming about was when we shifted the method of accounting over to the computer, we found three times more kids qualified than we had before. So the amount of money going to migrant education off the top in title I by 1976 will be three times what it was using the old system of accounting, which is an illustration of how far off we were in actually counting kids in a program that had been running for years. We were missing apparently almost two-thirds of the kids.

Mr. BESINAIZ. We were discussing the possibility that such an office would address a plan that could be matched parallel with the budget. It is very evident that right now if you would ask DOL, for example, how do you justify the budget in regard to a specific 5-year plan, for example, they could not respond.

If you look, for example, at HEW, the way they fund migrant health grants, for example, there is a definite parallel budget in that plan. Over a period of 5 years you are semi-able to meet your objective or goal.

This is one of the areas where we feel such an office would be able to address itself. The development of an overall 10-year plan is very imperative both from the programmatic aspect and funding aspect. If we continue to think in a vacuum, if we continue to think arbitrarily from a programmatic aspect and funding aspects the solution to the problem will never occur.

Mr. FIERRO. Mr. Chairman, I think the action that DOL has taken relative to the title III B program, when you have a title III B

program involving service to migrants and seasonal farmworkers—now you have a competitive system of grants that will be providing manpower services, you have the State agencies, you have title I agencies that qualify, title II that qualify for those moneys, how can you weigh the title III B agency applying for those funds and a State agency applying for the same amount of funds—not for the same amount of funds, but for those particular funds that are going to those States?

Obviously, to me those title III programs that have been there are not going to be there in the future in spite of repeated efforts, and I recall the correspondence you had and the meetings you had with Mr. Kolberg where there were agreements made that they were not going to defund those programs, they were going to continue those programs, and you assisted a great deal in the continuation of those programs last year, but they will not be there this coming year because they will not be able to compete with State agencies, larger manpower urban programs that exist in those States today. They just can't do it. That is why all the expenditures of funds for the last 5 or 10 years that have gone to migrant areas will have been wasted because the experience, the development of personnel in those areas is not being utilized by DOL, will not continue to be utilized by DOL.

I certainly hope that this committee will assert itself to bring about some definite commitments from Mr. Kolberg to continue the funding of all those title III–B programs for this coming year.

Mr. FORD. I think we will get into that with the Labor Department later in the hearings and find out what plans, if any, they have for assisting personnel and programs, what they are doing.

Mr. FIERRO. Additionally, they don't even have any Spanish-speaking people. You know, the staff of DOL today, the top five people aren't even Spanish people, not even Mexican American. They don't have any sensitivity as to the migrant initiatives. That is why we have this problem.

In OEO we had a highly capable staff of Spanish speaking and people who were familiar with the migrant problem. We don't have that in DOL today.

As a matter of fact, they have all left because of the lack of responsiveness on their part.

Mr. BESINAIZ. Not only that, some people with programmatic competence I think DOL lacks at this time.

Mr. FORD. Thank you very much.

Mr. FIERRO. Thank you, Mr. Chairman.

Mr. FORD. Mr. Raphael Semmes, executive director, National Association of Farmworker Programs, Washington, accompanied by Karen Tobin, executive director, Program Funding, Inc., Rochester, N.Y.; Frank Acosta, vice president, Association of Farmworker Opportunity Programs, Cleveland, Tex.; and Francisco Castellanos, manpower director, Hidalgo County (Tex.) Economic Development Corp., Edinburg, Tex.

STATEMENT OF RAPHAEL SEMMES III, EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF FARMWORKER PROGRAMS, WASHINGTON, D.C., ACCOMPANIED BY KAREN TOBIN, EXECUTIVE DIRECTOR, PROGRAM FUNDING, INC., ROCHESTER, N.Y.; FRANK ACOSTA, VICE PRESIDENT, ASSOCIATION OF FARMWORKER OPPORTUNITY PROGRAMS, CLEVELAND, TEX.; AND FRANCISCO CASTELLANOS, MANPOWER DIRECTOR, HIDALGO COUNTY (TEX.) ECONOMIC DEVELOPMENT CORP., EDINBURG, TEX.

Mr. SEMMES. Mr. Chairman, I want to thank you and the members of the committee.

Mr. FORD. Do you have statements?

Mr. SEMMES. Yes, sir.

Mr. FORD. Without objection, the prepared statements that you have submitted will be inserted in full at this point in the record.

You may proceed in whatever manner is most comfortable to you—add to it, highlight, or explain.

[The statements referred to follow:]

NATIONAL ASSOCIATION OF FARMWORKER PROGRAMS,
Washington, D.C., September 24, 1974.

HON. WILLIAM D. FORD,
Chairman, Subcommittee on Agricultural Labor,
Washington, D.C.

DEAR CONGRESSMAN FORD: In response to your request of September 10th to provide copies of our prepared testimony before the Subcommittee, we are pleased to include with this letter twenty-five copies of the testimony of the panel of witnesses from the National Association of Farmworker Programs regarding H.R. 12257 and related bills to provide for the establishment of a National Office for Migrant and Seasonal Farmworkers within the Department of Health, Education and Welfare.

We look forward to testifying personally on these matters and appreciate your kind invitation granting us this opportunity.

Sincerely yours,

RAPHAEL SEMMES III,
Executive Secretary.

PREPARED STATEMENT OF RAPHAEL SEMMES III, EXECUTIVE SECRETARY, NATIONAL ASSOCIATION OF FARMWORKER PROGRAMS (NAFP)

Mr. Chairman, members of the committee, on behalf of the National Association of Farmworker Programs, I want to take this opportunity to thank you for inviting our panel to be present and testify in regard to the important legislative proposals now before you calling for the creation of a National Office for Migrant and Seasonal Farmworkers within the Department of Health, Education and Welfare. Members of our panel will present testimony addressed particularly to the concerns of the regions they represent.

During the past decade, it has been a recognized principle of policy as confirmed by legislative sanction that Federal efforts to serve farmworkers should be directed at the national level. This policy recognizes that the special problems of the target population, such as a seasonal work cycle, migration, high incidence of poverty and unemployment and frequent exposure to health hazards, require national-level direction, a real sensitivity to the problems and felt needs of the farmworker, and sufficient funding to permit the implementation of a successful

program plan. NAFP wholeheartedly endorses this policy. It has encouraged the development of responsible organizations with effective involvement of the farmworkers themselves.

It has been in keeping with the policy aforementioned to provide direct funding of effective programs from the national level, to restrict administrative overhead and thus to deliver more services for each dollar invested. Moreover, to provide the farmworkers with the range of comprehensive assistance they require, such as adult education, child care, economic development, legal services and counseling, the existing farmworker programs have not required layered, bureaucratic structures either at their level or at the national level. In fact, administrative costs have been kept remarkably low. For example, programs funded by HEW in the university system of one state are receiving between 23% and 40% of the total grants in indirect costs, while non-profit organizations in the same state require an average of only 12% in indirect costs and are able to obtain multiple funding sources to further reduce the administrative cost factor.

The operation of farmworker programs by the existing, effective grantees has also resulted in positive actions to reduce the exploitation of farmworkers in their daily lives. A majority of the board members and a significant percentage of staff members are, have been or are closely familiar with farmworkers. This has ensured the existence of a sensitivity to cases of unfair practices, poor housing, economic dependency and generally low living standards affecting farmworkers.

In the past, laws designed to encourage this sensitivity and this high level of effective service delivery have been translated into action throughout the country through program and funding support from a compact, sensitive national migrant office. These laws, including Title III–B of the Economic Opportunity Act and extending in spirit through the Title III, Section 303 provisions of the Comprehensive Employment and Training Act, have represented a continuation and reinforcement of the basic policy mentioned earlier of responsively administering and effectively supporting the proven farmworker programs from a single national office. When, however, such laws are followed by proposed Departmental Regulations which could negate the national policy and result in tiered, wasteful levels of administrative expense and the funding of unproven, unresponsive and hastily planned new programs at the state and local levels, then the reaction of the public at these levels will be one of bewilderment, dismay and serious questioning of the logic of such a course.

Thus, for us to return to the nationally-administered policy, it is essential to create a National Office for Migrant and Seasonal Farmworkers. One of the bills at hand, by Representative Roybal, properly recognizes this need and prohibits the delegation of this national responsibility. From responses to questionnaires and inquiries to the programs made by NAFP, it would appear that many programs would accept the establishment of the National Office within the Department of Health, Education and Welfare, assuming that such an Office were to be streamlined, well-financed to meet the tasks ahead and staffed with responsive leadership. The Office should be exclusively dedicated to solving the urgent problems of farmworkers. The Office should also institute reasonable reporting and monitoring procedures that do not consume excessive amounts of staff time but are designed to encourage close and equitable relationships between the Office and the programs themselves. Finally, the Office should be designed as an effective force in all Federal activities—economic development, manpower training, child care, basic education, housing, health services, counseling and other kinds of assistance—for migrant and seasonal farmworkers.

If these requirements are met, the proven national policy of special assistance for farmworkers will continue to meet the pressing needs at hand. We respectfully submit that the bill should be amended to permit both funding and sensitive programmatic support in the major areas of activity we have outlined today.

PREPARED STATEMENT OF MISS KAREN TOBIN, EXECUTIVE DIRECTOR, PROGRAM FUNDING, INC., NEW YORK STATE

Nationwide, existing Title III–B farmworker programs continuously are asked to respond to "Under who's aegis should they exist." In reality, programs serving farmworkers have specific needs, as defined by farmworkers themselves. The actual agency holding legislative responsibility is probably less important than

is the commitment by whatever agency to ensure the current maintenance of program effort.

To date farmworker programs have had two sponsors: OEO and USDOL. OEO was a competant and sensitive sponsor—needing some administrative overhauling, but genuinely committed to farmworker programs. USDOL struggles with its responsibility to improve the accountability of programs, but their commitment to program content and structure can and should be challenged. It is most probable that only a *separate agency*, having specific legislative responsibility to operate and maintain farmworker programs could do justice to the tremendous need.

Any agency operating programs for farmworkers must understand and commit themselves to some basic factors:

(1) Definition of farmworker that will include the entire target population (including dependents).

(2) Commitment to the broad range of program activities that farmworkers need in their struggle to become economically independent.

(3) Funding to agencies with a broad range of program delivery capability, having a record of demonstrated effectiveness and having farmworkers involved at all levels of their decision-making process.

(4) Funding level sufficient to ensure all program activities can be maintained.

(5) Funding formula that does not discriminate against areas of the country.

Currently, under USDOL, all of these factors are in jeopardy.

I. Definition of farmworkers and eligible clients: As a minimum, such a definition must include: (1) workers who are seasonally employed in agriculture, or whose under or unemployment is a result of recent displacement from seasonal employment; (2) dependents of seasonally employed agricultural workers; (3) contract workers from Puerto Rico, British West Indies, etc. who work seasonally in processing plants, etc.; (4) Agricultural workers who fall below the poverty level (migrant and non-migrant).

For purposes of this concern, it is appropriate to combine the definitions currently used by HEW, Offices of Education, Child Development and Health Services and Mental Health Administration.

II. Program activities must include the broad range of activities identified by farmworkers as their genuine needs. These include (not all inclusive):

(1) Housing (new and rehabilitated).

(2) Manpower—job training, job placement, GED, communication skills (ESL).

(3) Economic upgrading—relocation assistance, counseling, employability planning.

(4) Emergency Food and Medical Services (vouchers for food and stamps, assistance in obtaining services, including transportation).

(5) Legal assistance (counseling, criminal and civil cases and legal rights).

(6) Child Development (including counseling, curriculum development and day care).

(7) Educational upgrading (including tuition assistance, work experience, tutorial assistance).

(8) Economic development (opportunity to participate in meaningful ventures leading to economic independence).

(9) Health (environmental health as well as preventive and acute care in localities where HEW funded health programs do not exist).

(10) Alcholism and mental health programs.

Any Federal agency, having responsibility to the nation's farmworkers, must insure that all of these activities are encouraged and funded. To do less will be to fail to respond to the expressed needs of farmworkers.

III. *Structure:* Most acute is the *commitment* on the part of any Federal agency having the legislative mandate to operate migrant programs to insure that any nonprofit corporation, funded to operate programs, have several qualities:

(1) *Demonstrated effectiveness* in operating multi-component programs (including cooperative linkage and past history as a Title III–B agency, preferred).

(2) *Farmworker participation*—A majority of (51%) farmworkers must be on all Boards and Committees as a prerequisite for funding any agency to operate programs.

(3) *State-wide comprehensive delivery system* where feasible and currently operating must be refunded and continued.

The Federal agency must maintain, itself, direct funding, technical assistance and program direction responsibilities. It must commit itself to maintaining a competent staff in Washington, D.C., to assist grantees.

IV. Funding—Must be sufficient to cover all needed program activities ($53 million) and must be allocated on a formula basis that guarantees migrant farmworkers, dependents, as well as seasonal farmworkers, adequate assistance as allowed by the activities under the Legislation. No formula should be allowed to discriminate against migrant farmworkers, while harvesting crops in "receiver states." To do so will deny workers assistance during a most critical time period, annually, and will violate the legislative purpose of any act. Workers and dependents must specifically be helped during "down time," slack priods and natural disasters. Specific concern should be given to areas of high unemployment as well as workers being displaced by mechanization.

The Federal agency taking the National responsibility for migrant programs must be a willing *advocate for farmworkers* and farmworker programs at the Federal level with other Federal agencies, such as HUD, FmHA, HEW, USDOL, etc. The Federal agency must not make decisions based on political concerns but must be willing to support, openly and publicly, the needs of farmworker programs and needs.

To date, USDOL has violated some of *these* most basic concerns. Farmworker programs are suffering a serious set back; yet harvest conditions, under- and unemployment problems, food emergencies, political harassment and legal and other civil rights violations continue to be a serious problem for the Nation's farmworkers. Existing grantees, experienced over the years of program delivery, must receive the respect and support of any Federal agency or office that develops or adopts farmworker concerns and programs.

PREPARED STATEMENT OF FRANCISCO CASTELLANOS, MANPOWER DIRECTOR, HIDALGO COUNTY (TEXAS) ECONOMIC DEVELOPMENT CORP.

The problems of migrants and seasonal farmworkers engaged in agriculture transcends political, geographical and ethnic lines. The state of Texas, as the home base area for a large majority of the migrants and seasonal farmworkers who harvest our nation's agricultural products, is just this year beginning to recognize that a special office for migrant affairs is needed.

Leadership for solving the many problems of this disenfranchised sub-culture nation-wide has come from very small sections of the Office of Economic Opportunity and presently U.S.D.O.L. Other than that there have sprung up over fifty local organizations across the country which have worked for as long as six years to aid migrants and seasonal farmworkers.

These organizations' efforts to provide comprehensive services to migrants and seasonal farmworkers needs national leadership which has the authority to make available the many resources of the federal government for the benefit of this group of people, not just those specifically earmarked for migrants and seasonal farmworkers through O.E.O. and D.O.L.

Present Texas projects for migrants and seasonal farmworkers are dangerously close to being absorbed in the Texas State Government Bureaucracy, which did not become interested in the problems of migrants until money was made available for this group through CETA, Title III, Section 303.

A strong national office for migrant and seasonal farmworkers could provide strong leadership to local, state or non-profit corporations in regards to maintenance of effort and continuity of services, irregardless of new Manpower in housing, or other such legislation in the state.

We need continuity, stability and strong federal government leadership that will do justice to this national problem.

PREPARED STATEMENT OF FRANK ACOSTA, EXECUTIVE DIRECTOR, MANPOWER EDUCATION AND TRAINING, INC., CLEVELAND, TEX., AND VICE PRESIDENT, ASSOCIATION OF FARMWORKERS OPPORTUNITY PROGRAMS, INC.

My name is Frank Acosta and I am Executive Director of Manpower Education and Training, Inc. (MET), with administrative offices in Cleveland, Texas and also Vice President of the Association of Farmworkers Opportunity Pro-

grams, Inc. MET is a State-wide program offering services to migrant and seasonal farmworkers in 98 Texas counties and 23 parrishes in the State of Louisiana. AFOP is an organization of directors of migrant programs representing 26 States in the Southeastern and Eastern United States.

It is a pleasure to appear before Congressman Ford and this committee today on behalf of migrant and seasonal farmworkers. As you well know, migrant and seasonal farmworkers are perhaps the poorest of America's poor. It is the only industry in the country today that makes heavy use of child labor.

The goal of all our programs is to provide these Americans with an opportunity to upgrade themselves in their present occupations or through education and training to have the choice to select other occupations.

Most of us have been running programs for farmworkers ever since the Economic Opportunity Act of 1964 started the first Federal programs for migrant and seasonal farmworkers. Since that time, we have seen the OEO program transferred to the Department of Labor and we have also seen the Congress provide training for farmworkers in a special section under the Comprehensive Employment and Training Act. Our experience with running programs under OEO was excellent. Our experience with the Department of Labor is probably too new to make comment. Suffice to say that the Department of Labor is trying to run programs for the benefit of farmworkers with some of the former OEO Migrant Division staff and with some Department of Labor personnel recruited from other DOL programs, all within the framework of the objectives of the Department of Labor.

We support the need for a separate agency for migrant and seasonal farmworkers programs. Our first choice is to have that in OEO or its successor agency. If that becomes impossible, our next choice would very definitely be the Department of Health, Education, and Welfare. The need as we see it is for a group concerned with the social, educational, and health of farmworkers to be highly visible. We are concerned that the present structure within the Department of Labor is being run through an institution that has traditionally had as its responsibility a mandate to provide workers for agri-business. While we do not in any way attribute to the officials of the Department of Labor any intention to subvert the law, there seems in our mind an intellectual conflict of interest for the same agency that is both the provider of farmworkers for agri-business to also try and upgrade the skills and opportunities of the same workers so that they may some day decide to leave their present occupation. It is for this reason we feel the interest of the migrants would best be served in an independent agency or the Department of HEW.

Mr. SEMMES. Thank you, Mr. Chairman.

I just want to begin again by thanking you and the members of the committee for this opportunity.

I have with me today a representation of cross section of farmworker programs from around the country who are going to elaborate a little bit, each one, on some of the written statements which they have submitted to the committee. I just want to begin briefly and in a general nationally oriented sense to reiterate our support of the basic policy which was established 10 years ago to operate migrant and farmworker programs at the national level with funding, sensitivity, and responsiveness.

We support this with a great deal of conviction. We think too that the programs that we represent, what are called the III–B programs, are able to effectively demonstrate that they have been delivering services to farmworkers, that they have cut down on their administrative costs, and that the population which they serve is able to come to them for a wide range of services.

In addition to this, farmworkers generally understand and generally sympathize with the programs we present because these programs have been operating in the field to avoid exploitation, to try to reduce the amount of cases which arise in unfair practices, poor housing, malnu-

trition, poor health conditions; in general, abominably low living standards, as I am sure the committee is aware.

I did want to elaborate on one point in some detail. We do support the idea of a national office. We do feel, however, it should be sensitive to these programs and it should not produce a large bureaucratic structure.

It should be relatively small, compact, and able to make decisions on a graphic basis for the benefit of farmworkers, particularly those who may be affected by disasters.

As you were remarking earlier, Mr. Chairman, regarding some of the problems of including people in figures, and so forth, we feel very strongly that there is a need for a national census of farmworkers. We in fact would like to suggest some possible sources which could be used at this time for at least some tentative findings on the number of farmworkers so that we could avoid some of the problems discussed earlier about allocations based on States that may or may not even have farmworkers in them.

Our programs are operating in areas, in your State and in other States around the country, which have farmworkers, which are counted, which are served, which are names and not just numbers. We are able to mark them down ourselves.

There are studies by universities that have been done, which also provide information. The Department of Health, Education, and Welfare I believe has some information on this too. It is a question of definition. We feel that the definition is the key to the problem. It must be inclusive of the unemployed farmworkers, the retired, the disabled, those who are affected by disasters and who may be on down the line for the moment and may not be counted.

The definition must include the dependents of these workers who are so in need of services. We find that some proposed regulations, particularly by the Department of Labor, tend to go against the national policy which I mentioned in the beginning.

These regulations propose a system of funding distribution which has resulted in inequities, which has produced a great deal of criticism on the local level where the numbers of farmworkers are known to exist and yet funding is not sufficient to serve them.

We feel too that regulations which have been published recently might result in expensive, wasteful, highly administrative costs, new programs that have not been proven, that do not have a track record on which to base their proposals or their request for funds.

The programs that are in existence do have this track record.

We feel then, just to sum up the national sentiment as I read it—and I think that this is true around the country—most programs would support fully a national office within the Department of Health, Education, and Welfare. So long as that office were well financed, streamlined, and staffed with responsive leadership.

We mean that the office should be able to get the task done. It should be exclusively dedicated to the problems of migrant and seasonal workers across the board in the Federal agencies, not just certain problems associated with isolated areas of HEW but the broad gamut of problems, and it should have some independence to be able to administer the whole Federal effort in the field of migrant farmworkers.

This is in the spirit of the national policy which has been in existence now for some time and which we feel has proven very effective.

I would like to introduce, Mr. Chairman, if I may, some of the other members.

Mr. Francisco Castellanos, to my right, Ms. Tobin to his right and Mr. Acosta from the State of Texas and also representing the Farmworker opportunity programs.

Would you like to make some remarks on your prepared statement, Karen.

STATEMENT OF KAREN TOBIN, EXECUTIVE DIRECTOR, PROGRAM FUNDING, INC.

Ms. TOBIN. Thank you.

I would like to give you the background of New York State without being too parochial just to give you an idea of some of the types of specific programs that agencies such as ours across the State are operating.

We were founded 6 years ago out of the concern that OEO funds be coordinated under a single agency. In the past 6 years we have entertained a great deal of growth, both program and administrative sophistication. We are operating with a variety of State funds including New York Department of Education, Bureau of Migrant Education, New York State Vocational Rehabilitation, HEW, alcoholism, and the Department of Labor.

Probably one of the most important characteristics of our agency and that of other agencies that we all represent here today is the fact that our staffs and board of directors are representative of farmworkers. Sixty-five percent of our board of directors are currently farmworkers, the remainder being State official representatives. It is a unique working relationship between farmworkers and a delivery system with responsibility to provide services that we don't want to lose in the State of New York.

In addition, 43 percent of our staff are former farmworkers, 53 percent are minorities and well over 50 percent are women. There is not another agency in the Department of Labor that has this kind of record.

Again we don't want to lose in the State of New York any agency that operates programs for farmworkers, whether it be HEW, Department of Labor, must respect and cary out this kind of commitment and characteristics of farmworker programs.

In addition, we feel that a miniagency must commit itself to the following. The definition of farmworkers that you have heard is the problem that we all agree must be a comprehensive definition and must include dependents.

There must be commitment to broad range program activities of farmworker needs. In New York State each year farmworkers' systems identify and express those needs of activity that they feel they want, not something that a Federal agency or State agency or even a private agency says farmworkers need.

At a minimum, the activity that any national office must include and must ask funding for should include the following: Housing, new and rehabilitated; manpower, including problem training, job place-

ment, general education and communication skills; economic upgrading, including relocation assistance, counseling, and employability planning; emergency food and medical services; legal assistance; child development; education upgrading; economic development; health and alcoholism.

One of the concerns is that the wide range of activity be maintained, that these programs now become labor programs, manpower programs, under the Department of Labor.

Probably one of the most serious concerns that we currently have is with the distribution of funds. You discussed that this morning. I would like to be a little bit more specific. In New York State as in the State of Michigan, we have a serious problem in the current data that is being used.

For instance, the data that is being used currently does not include data from whole counties within our State. It does not include information on the number of dependents, as you have already heard this morning.

Mr. Fogg. Let me interrupt you at that point.

Some time ago we had a GAO report on migrant programs which selected out a county in Michigan and, I think, Wayne County in northwestern New York State.

Ms. Toups. Wayne County is adjacent to the county of Monroe on the lake in New York State.

Mr. Fogg. I am sure you are aware of the GAO report. Did your group in New York do anything to follow up on that?

Ms. Toups. Could you give me the date of the GAO report?

Mr. Fogg. February 1973.

Ms. Toups. I haven't seen the GAO report. We are currently operating a program in Wayne County under our immediate direction. That is a change from what was done in past years. Originally the program was funded. We have had no criticism. As a matter of fact, we had a positive report of our own agency through an evaluation that was done in that county. Whether it refers to other agencies activities I am not aware. In Wayne County there are serious problems facing farmworkers. The housing problems, the access to manpower services.

Mr. Fogg. These counties were not picked by GAO by reason of being the worst but as a representative sampling across the country just to see what was happening.

For the most part, it was not happening the way we expected. It would be helpful, I think—we will give you a copy of the GAO report—if you would submit later for the record your comments on whether they were very accurate and what has been done to correct the problems.

Ms. Toups. In addition, the data besides leaving out whole counties as well as the number of dependents, did one other interesting thing that hurt several minority States. It includes data only for man-hours worked. In several of the Northern States we have had serious flooding conditions and a great amount of rain, and damage to crops, both rain and hail in our State.

During the time that the data was collected, many of the farm workers were not working. By the criteria provided in the legislation they were receiving services that we were required to provide. Yet they

were not counted in the numbers because down time is not included in the data in those reports. With those three factors in addition to the fact that 90 percent of the funds are being earmarked for seasonal farmworkers and 10 percent for the migrants, we know the problems of farmworkers are significant, we submit there is a tremendous problem of discrimination against the State of New York.

We agree with the national association as part of it that there are data sources that could be used. One of the things that we have suggested is that four of five data sources be certified by the Department of Labor and that within a State they select the one that best represents the numbers and figures as they know them, and that a national survey be done and that be later used.

The argument that there is not sufficient data is not acceptable and it is discriminating against other States.

I think in summary, and you have the entire statement submitted, again our concern is that the agency that ends up with the responsibility to monitor farmworker programs be sensitive, be willing to be an advocate, not wrapped up in politics to the point where they lose sight of the needs of farmworkers, that they primarily recognize the current experience and involvement of farmworkers through the programs funded under title III(b), OEO and the Department of Labor.

[The following letter and additional testimony was submitted for the record:]

PROGRAM FUNDING INC.,
Rochester, N.Y., October 4, 1973.

Re Comments on GAO Report on migrant and seasonal farmworker programs in selected counties

HON. WILLIAM D. FORD,
House of Representatives,
Washington, D.C.

DEAR MR. FORD: Enclosed please find additional testimony for the Subcommittee on Agricultural Labor hearings, with specific reference to the GAO Report on Wayne County, New York. Please feel free to ask for additional information regarding New York State's farmworkers, should it be of assistance to you or the committee members.

We appreciated the opportunity to address the committee, and look forward to your interest and assistance in the future.

Sincerely yours,

KAREN N. TOBIN,
Executive Director.

Enclosure.

The report to which you make reference was written, and the data collected during 1971–72, Wayne County, N.Y. was selected, I suspect, because:

(1) It has a significant population of migrant and seasonal farmworkers.

(2) It has had a history of repetitive problems. Farmworkers have, over the years, had difficulty in obtaining Social Services, adequate housing, year-round employment, year-round day care and proper wage and hour statements in Wayne County, leading to several litigated cases.

It is important to point out that Wayne County, in many ways, is *not* typical of other parts of New York State. Some progress has been made in Wayne County, since 1971, but let me comment further.

The report briefly described Wayne County as that County having 32 percent of all apple trees and 53 percent of all cherry trees in New York State. These figures are still relatively accurate. However, it should be pointed out that mechanization of both apples and cherries has increased to the point where retraining of agricultural workers displaced by agriculture has become a tremendous need. The County has not been successful in expanding job opportunities to those displaced, as few companies have been successful in hiring farmworkers.

This poses a serious problem to farmworkers. Unfortunately, the response of the Employment Service continues to be to refer farmworkers to primarily seasonal jobs rather than to assist workers in finding year-round job options.

In 1971 the OEO funds allocated to Wayne County were operated and administered by the County Community Action Agency (CAA). As the GAO report noted, that year the CAA placed only 20 individuals in nonfarm jobs, and less than half of those were migrant or seasonal farmworkers. In 1972, 1973 and 1974 OEO funds were operated by Program Funding, Inc., directly. The CAA did not apply to Program Funding, Inc. for operational funds after 1972. Currently Program Funding, Inc. operates manpower, social service, alcohol rehabilitation and educational programs for farmworkers in Wayne County, as well as throughout New York State.

The GAO report discussed Education Programs. In 1971–72, as today, the New York State Department of Education, Bureau of Migrant Education, funded summer school programs for farmworkers' youngsters and supplemented school costs for year-round school programs during the time farmworkers were in the State. A Record Transfer Terminal for Educational statistical data for farmworkers' youngsters is located in Williamson, New York (Wayne County) at the County BOCES. This enables the timely transfer of school data for youngsters from Wayne County to their home base schools. I cannot comment on the percentage of youngsters for whom data is actually entered and retrieved. I assume the State Education Department qualitatively evaluates its systems.

In many ways, Wayne County seems to have more actively participated in Migrant Education programs than others. As the numbers of children of farmworkers decreases in selected parts of Wayne County, school systems must be encouraged to ensure adequate participation in special programs by those children with special needs. It is too easy to suggest that because numbers are low, it is not economically feasible to run special programs. We have seen some movement in this direction. In addition, State Education funds for farmworkers children must actually assist those children. Such funds must not be allowed to simply pay school district bills that would normally be incurred, but are not of particular benefit to youngsters meeting the definition of the Title I Act.

Funds for Educational programs are needed even more today in Wayne County than in 1971. In some areas of the County, the North Rose School District for example, an increase in numbers of farmworker children is being experienced. The School Principal has shown a commitment to operate quality Education programs for farmworkers. He must have the tools to do so.

It is important that programs be expanded in the categories of out-of-school, special programs for youngsters who have dropped out of school, for example, work experience (Learn and Earn) programs. Program Funding, Inc. is hoping to expand the latter into Wayne County this year. New York State Cooperative Extension Special Manpower Project in Wayne County operates special programs for migrant youth. More needs to be done, outside the school system, for youngsters after school hours (until parents return from the fields), as well as during the day for youngsters out of school.

Housing

Although a very brief report in the GAO report, farmworker housing continues to be a severe and pressing need in Wayne County. Little has changed for the better since the '72 report. As a matter of fact, the one self-help project has been unable to build many units due to high cost of development and ineligibility of most farmworkers for the economic requirements of the program. The Farmers Home Administration proposal (514–516 grant loan program) proposed by Program Funding, Inc. and Wayneo Housing Opportunities, submitted in 1972, was curtailed because of the housing moratorium imposed by the President. Funds for the program were withheld and as of this date, WHO, Inc. is forced to sell the parcel of land purchased for the program.

It should be pointed out here that Congress has yet to seriously address this great housing need. Legislation is needed to provide appropriate funding options sufficient to meet the need. This should include:

(1) *Comprehensive loans and grants* to non-profit corporations, housing corporations and authorities, local governments, agricultural collectives, cooperatives and farmers to enable the building of sound, adequate, safe housing facilities (single, detached, as well as multiple structure).

(2) *An adequate funding level* to meet the National need for new and rehabilitated units.

(3) *Funding* for a National organization to provide nation-wide technical assistance to localities mentioned (such as National Rural Housing Alliance).

(4) *Rent subsidies* to guarantee economic feasibility of any project.

Until the Federal Government realistically addresses this need, it is unlikely Wayne County will significantly respond. Meanwhile, much more needs to be done by local farmers, New York State Farmers Home Administration, New York State Health Department and the U.S. Department of Labor to ensure that every program—regulatory as well as developmental—is fully utilized. We cannot allow a decrease in the rate of new construction, enforcement of codes (State and Federal) or rehabilitation of units, that seems to be occurring, Nationally as well as locally, today.

Health

The Wayne County Rural Comprehensive Health Program continues to grow and to serve farmworkers in excellent facilities. In addition, the National Institute of Alcohol Abuse and Alcoholism has funded Program Funding, Inc. to operate an alcohol rehabilitation program in Wayne County beginning October 1, 1974. Together with the Finger Lakes Alcoholism Counseling and Referral Agency (FLACRA), the Wayne Co. Mental Health Board and the Genesee Region H.P.C., farmworkers will receive alcoholism counseling and referral services. Progress is being made in health. But, such funds continue to be critically needed in order to continue to adequately meet acute health needs, as well as the longer range preventive care needs of farmworkers.

An increase in funds for transportation to services, dental care, as well as outreach is needed to insure adequate comprehensive health services.

Day Care

Progress in the area of day care has been made since 1971. New York State Department of Agriculture and Markets funds day care throughout the State, by operating centers or by purchase of service from existing centers, thereby ensuring day care to all migrant youngsters. However, as they strive to meet the need, several additional problems continue:

(1) Centers must be able to run year-round to ensure that youngsters whose families drop out of the stream and settle in our communities, continue to be served. Technical assistance is needed to centers to find adequate facilities, funding alternatives and proper incorporation.

(2) Centers must operate past the opening of school—throughout the harvest season. Some centers, located in schools, close down at the beginning of the school year (about September 1) because space is no longer available and is needed for classrooms. The harvest season continues into November.

(3) Centers must maintain hours consistent with work schedules of families.

(4) Continual effort must be made to upgrade the Educational curriculum of centers, together with increasing the provision of health care to youngsters at centers.

Federal funding sources, particularly HEW, could do much to greatly relieve the needs outlined.

While the GAO report was limited in its analysis of Wayne County migrant programs, it does spell out continual activity areas of concern. I hope this response helps to clarify and update information presented in that report.

KAREN N. TOBIN,
Executive Director, Program Funding, Inc.

STATEMENT OF FRANCISCO CASTELLANOS, MANPOWER DIRECTOR, HIDALGO COUNTY ECONOMIC DEVELOPMENT CORP., EDINBURG, TEX.

Mr. CASTELLANOS. As you are aware, the problems of migrant and seasonal farmworkers are not isolated to affect only certain parts of the country. It is a problem that affects different parts of the country. It transcends geographic and political and ethnic lines. We feel that for this reason, it is very, very proper that a strong national role be taken, a strong national office be established, a strong Federal leader-

ship be exerted to effect the types of efforts that are presently available for migrants and seasonal farmworkers across the country.

Efforts that have been put forth to the present have been primarily due to organizations that are migrant and seasonal farmworker oriented such as the ones you see before you this morning. We have had to look for leadership to the Office of Economic Opportunity, the Department of Labor, different staffs in those organizations and bureau. We have had to form our own association nationally in order to be able to come up with our own national leadership because of the fact that we, of course, know that there are various resources in a lot of different bureaus in the Federal Government that are not being effectively coordinated for the benefit of migrant and seasonal farmworkers.

It seems like a lot of the agencies are doing something or are capable of doing something for migrant and seasonal farmworkers, but it is left up to organizations such as ours, those you see represented here before you this morning, to go out and try to find those resources, put them together into local comprehensive service delivery systems and without any real effective national leadership or national direction that transcends lines of authority between departments.

We have been able on the local level to create some pretty comprehensive programs that not only take in manpower but economic development, housing, the different problems that affect migrant and seasonal farmworkers. This is done primarily through our own initiative, primarily through assistance that we have been able to give each other as migrant and seasonal farmworker program operators. We have relied very heavily on our own initiative.

We have received assistance, of course, from different people here in Washington, our own representatives and other national associations, but there is really no national office for migrant and seasonal farmworkers that we can look to for information and leadership to provide information on the resources that are available that will help to alleviate many problems that affect migrant and seasonal farmworkers.

The problem is that the information on seasonal and migrant farmworkers is not there; it is a problem. The data is hard to get but it can be gotten.

A case in point is the scare, if I might call it that, that was generated last season, last migrant season, with the gasoline shortage. There were national reports on the national news media that migrants in south Texas, for example, which provides a large number of the migrants and seasonal farmworkers for the whole country, that a larger number, almost 90 percent of those people, were not going to migrate this past year. This information was supposedly gathered by the local office of the chief elected official.

This generated a tremendous amount of publicity and national news media coverage. It received a lot of inquiries from our own Congressmen, and as it turned out, the Department of Labor was asked to move on this problem. They asked us, their local grantees, to conduct a followup study to that to find out it that was accurate. We conducted a study and found out that the original study that was conducted was not accurate. We found out that over 75 percent, almost 80

percent of the migrants did, in fact, intend to migrate and that those who did not intend to migrate, their decision was not really affected by the gasoline shortage. Their decision was affected by other reasons.

We found out that a tremendous number of these people, even though they didn't have any provisions for gasoline, were coming anyway. A lot of them didn't have any provisions for jobs, they were coming anyway. It took us about 2 weeks to get this information together, and 3 or 4 days to get the information compiled.

It was a south Texas project, a project generated in Austin, Tex., based on information gathered. It is called "4,300 Migrant Families and the Effect of Fuel on Migration" and it is available.

These types of studies can be undertaken. They can be effective and they can come up with very, very good information. We were able to do it on very short notice and come up with some good, hard data that was for one thing to alleviate first, at the same time the growers were able to point out if the people had not migrated, the United States would have lost $500 million in agriculture products.

So, the information is there; it can be acquired. It is there to be acquired. I believe that organizations such as ours have the capability to acquire it aside from the capability to implement the type of programs we are implementing now.

The point is that a lot of these programs are migrant and seasonal farmworker oriented totally. We have migrants and seasonal farmworkers on our staffs, on our boards; the sensitivity is there, and we feel that we do have a very direct linkage to migrant and seasonal farmworker problems.

What we need, really, is the national leadership to be able to provide the information so that we can create these comprehensive programs in local areas. As they say in south Texas, you don't need to drink the water. You show us where the water is, we will drink it ourselves. We will find a way to get the information down to the people. We have been doing it for several years and it is effective. But, we do need help; we need help at the national level.

Mr. FORD. I wonder if you would care to explain what you mean in your statement, "Present Texas projects for migrant and seasonal farmworkers are dangerously close to being absorbed in the Texas State bureaucracy which did not become interested in the problems of migrants until money was made available for this group through CETA, title III, section 303."

Let me explain my question by pointing out to you that that is exactly what title III is supposed to do, to get States that heretofore have not been interested in the business and help those that were in the business to do a better job.

I take it from your statement that you don't feel that it necessarily could be beneficial for the State to move in.

Mr. CASTELLANOS. I think it is beneficial for the State to participate. I don't think it is beneficial for the State to—this is what it amounts to: This is reference to the same type of information that Mr. Fierro was giving you a few minutes ago—a lot of the States and organizations that had not been participating or working with migrants and seasonal farmworkers, now because of the fact that money is available, are trying to participate, and that is good; that is excellent.

In the process what is happening—and the only point that we object to is that they are not intending to use the expertise and the experience that is already there. They are attempting to establish another bureaucracy, a different bureaucracy, if I may call it that, aside from using the knowledge, the experience which has already been there.

Primarily, because we are thrust in the position of having to be competitors for the same amount of money and for the same moneys, the situation has become such that if you work with the chief elected officials, then you are go ng to be considered for participation. If you compete with the chief elected officials, then you are not going to be considered.

Mr. FORD. Texas had more applicants for CETA funds than any other State. I am looking at a list under the Government Office of Migrant Affairs.

Mr. CASTELLANOS. The Government Office of Migrant Affairs has been in existence since about August of this year. It is a very new office.

Mr. FORD. Did it receive any State money for its functions or does it depend on money in Federal programs?

Mr. CASTELLANOS. At the present time, it is receiving only HEW funding. But, the coalition of migrant associations in Texas, known as Texoma, went on record as being in favor of the establishment of this migrant office. We worked very hard to see it established. We don't want to give the impression we are against the establishment of a migrant office or we are against the State getting into the business.

We welcome it. We are looking for some good, strong national leadership. We also would like some good, strong State leadership, good, strong State interest.

Mr. FORD. Those of us who have some reservation about the new federalism would like very much for the State to have a little money.

Mr. CASTELLANOS. The State of Texas has indicated that they will put out some money for migrant and seasonal farm workers. As I said, we are very interested in that. We are all for getting more money for migrant and seasonal farmworkers and trying to alleviate the problems. We definitely feel that a strong national office would make sure that the expertise and the experience that is already there in the field would not be obliterated, if the State, local, or community action agencies or whatever action were running these projects, a strong national office would make sure that all sources of input, and all past experience would be utilized to the fullest.

We feel that that is really our main concern.

STATEMENT OF FRANK ACOSTA, VICE PRESIDENT, ASSOCIATION OF FARMWORKER OPPORTUNITY PROGRAMS, CLEVELAND, TEX.

Mr. ACOSTA. I am here representing the Association of Farmworker Opportunity Programs.

The association was founded to enhance the service rendered to migrant and seasonal farmworkers in a 26-State area which can be described generally by including the Southeastern States as well as the Eastern States. That is beginning with east Texas, Florida, and up to New England, New Hampshire, Massachusetts, and New York.

We would like to go on record as being very supportive of forming a national office to attend to all the details mentioned by my colleagues. I would like to add one comment and that is to reaffirm that it must be a sensitive office, a viable monitoring office. It must, indeed, administer from the national level and not introduce other monitoring levels which we understand under the Department of Labor will be the case.

The association has been in existence for 4 years. It was funded by OEO. For a period of time it ran out of those funds. However, the association remains.

Mr. SEMMES. Mr. Chairman, do you have any further questions of our panel?

Mr. FORD. I would extend the invitation that I made a few moments ago to all of you on the panel to examine the GAO report which is now more than a year and a half old, and give us your comment on it. Maybe you might want to make some suggestions or request GAO to do a followup study. I think for the most part, it is very constructive. I know that we have used it effectively to strengthen our hand in the area of migrant education.

We have to move along with further witnesses. Thank you very much for your appearance.

Mr. SEMMES. Thank you, Mr. Chairman.

Mr. FORD. Raul Yzaguirre.

Without objection, the prepared text that you have presented to the committee will be included at this point in the record in full. You may comment and elaborate as you wish.

Mr. YZAGUIRRE. Fine, thank you.

STATEMENT OF RAUL YZAGUIRRE, NATIONAL DIRECTOR, NATIONAL COUNCIL OF LA RAZA

Mr. YZAGUIRRE. Mr. Chairman and members of the subcommittee, my name is Raul Yzaguirre, and I am the national director of the National Council of La Raza which is headquartered here in Washington, D.C.

I am happy to comply with your request to present testimony on H.R. 12257 and other related bills before this distinguished body. For the record, let me state that for the past 20 years, I have been concerned with the problems of migrant and seasonal farmworkers. I started as a community organizer with several groups including the American G.I. Forum and progressed to other responsibilities including 3 years with the Migrant Division of the Office of Economic Opportunity, and 5 years as head of a private nonprofit group that specialized in research and technical assistance work with migrant and seasonal farmworker programs.

I was born and raised in the Rio Grande Valley of Texas, which is the largest home base for migrants; and I have worked in the fields on more than one occasion.

Mr. Chairman, before getting into the specifics on this bill, I would like to put a few things in perspective.

I will not recite the usual litany of statistics on the abject conditions of migrant and seasonal farmworkers. We, at least in this room, are all too painfully aware of these cruel figures. Suffice it to say that we

are talking about an occupational group made up mostly of Spanish speaking citizens, and, almost totally of minority group members who occupy the lowest rung in our social and economic ladder. At the same time, it is this group on which we, as a nation, depend upon literally for our sustenance.

Second, Mr. Chairman, I must point out that we are not talking about legislation which would significantly increase the level of funding for existing migrant programs nor are we talking about new programs initiatives with new dollars.

What we are talking about is a vehicle which could make existing programs with existing appropriations more effective in dealing with the problems that migrant and seasonal farmworkers face. As commendable as this goal may be, we must recognize that it cannot be a substitute for adequate funding of existing programs nor the creation of new ones.

Having stated that caveat, we on the staff of the National Council of La Raza, after a careful analysis of H.R. 12257, feel that said bill represents a big step forward, perhaps even a quantum leap, in bringing about coherence in terms of Federal programing for migrant and seasonal farmworkers and their dependents.

As you know, Mr. Chairman, this bill, introduced by Congressman Edward Roybal and cosponsored by yourself and 23 other Members of the House, was precipitated in part by a report from the General Accounting Office (GAO), which is an arm of Congress.

A GAO study conducted in 1971 and released to the public in 1973 examined the "Impact of Federal Programs to Improve the Living Conditions of Migrant and Other Seasonal Farmworkers." Said study evaluated programs administered by the Department of Agriculture, the Department of Health, Education, and Welfare, the Department of Labor, and OEO.

Aside from the fact that there were not enough resources appropriated to adequately meet this population's needs, the study had two major findings: (1) that program administrators needed to improve operations to more effectively aid their clientele, and (2) that "There is also a need to develop an overall plan and a common direction of effort among Federal agencies operating these programs to strengthen their impact."

The first major finding, that is, improvement of operations, is not readily amenable to corrective action by a congressional mandate. The second major finding would be directly addressed by this proposed bill.

As we understand it, the proposed bill would vest within one office the administration of all migrant and seasonal farmworker programs currently operated by HEW. This would include: Title I, migrant amendment, of the Elementary and Secondary Education Act of 1965; Migrant Health Act of 1962, Public Health Service Act as amended; Migrant Head Start, Economic Opportunity Act of 1964; vocational rehabilitation, research, and development moneys set aside for migrants.

Under a National Office for Migrant and Seasonal Farmworkers, the administration of the above-mentioned programs should achieve a greater degree of coordination than is currently in place. Even though these programs are currently operating within one depart-

ment, administatively and physically they are not integrated. The result is a lack of coordinated planning, a lack of a common definition of eligibility criteria, and a lack of comparable standards for success.

What is true at the national level becomes even more evident at the local level, where it is not uncommon to find local service delivery operators who have not even heard of other federally financed programs for migrants operating in their own geographical area.

Our understanding of the bill is that section 2(a)(2) in effect gives the proposed national office authority to review, amend, and/or otherwise modify Federal program policies and regulations in order to bring about a unified national farmworker policy within all Federal agencies. This broad mandate is essential in order to bring about some accountability for Federal policy.

In order to make this broad mandate more definitive, we would recommend language in section 2(a)(2) that would clearly give the National Office for Migrant and Seasonal Farmworkers the tools it would need to comply with such a mandate. These tools would include: (1) the authority to approve all Federal program guidelines relating to migrant and seasonal farmworkers including but not limited to eligibility criteria and eligible program sponsors, (2) the control or sign-off authority on all research and evaluation solicitations, and (3) the input into training and technical assistance programs.

The special task force created under section 3(a) of the proposed bill represents a good vehicle for citizen input into Federal policy for farmworkers, provided, of course, that it is implemented effectively. It might be useful to clearly state that said task force would also have the necessary tools to accomplish its mandate. These tools would include: (1) adequate staff devoted solely to task force activities, (2) adequate travel funds for task force members, (3) honorariums for task force members who might be unable to contribute their time.

In addition to these points, there are some other considerations that could be specifically incorporated into the bill. They include:

(1) The development of uniform management information systems, MIS, as a responsibility of the proposed national office;

(2) A requirement for an annual report to Congress which can be used as the basis for oversight hearings regarding the national office;

(3) A reaffirmation within this bill for the need of farmworker participation in the development, implementation, and evaluation of programs related to their needs; and

(4) A reaffirmation of the fact that the status of migrant and seasonal farmworkers is a Federal responsibility as alluded to, in part, under section 5 of the proposed bill, and thus not compatible with the general revenue sharing and special revenue sharing delivery mechanisms.

In closing, Mr. Chairman, I would like to make one final point. The problems of the farmworker are not and cannot be neatly compartmentalized into narrow program definitions. The problems of the farmworker are broad and often complex. Congress recognized this fact by giving OEO broad legislative authority under title III–B.

This section was transferred to the Department of Labor where a process of programing best described as a single dimensional approach began to be implemented. This process was culminated in the

implementation of section 303 of the Comprehensive Employment and Training Act in which DOL, contrary to what we believe was the congressional intent, has mandated a narrow manpower approach and a revenue sharing model.

With the unclear status of title III-B of the EOA, we are now in a situation where the Government no longer has a vehicle for taking a comprehensive approach to migrant and seasonal farmworker problems.

For these reasons, it becomes even more important to expeditiously pass the proposed bill.

Thank you for requesting our analysis on this legislation. As an appendix, I wish to include for the record, a letter from one of our board members, who as a former head of a large farmworker-oriented organization, has a great deal of experience in this area. I am referring to Mr. Alex Mercure, formerly the executive director of the Home Education and Livelihood Program, HELP, in New Mexico. He is currently a vice president at the University of New Mexico.

He had hoped to be able to be here but could not make it. I would like to introduce these comments into the record.

[The letter referred to follows:]

THE UNIVERSITY OF NEW MEXICO,
Albuquerque, N. Mex., September 23, 1974.

Mr. RAUL YZAGUIRRE,
National Director, National Council of La Raza,
Washington, D.C.

DEAR RAUL: Pursuant to my discussion with you concerning many of the problems of migratory and seasonal farm workers and the present discussions in Congress over the establishment of a central agency to oversee and coordinate a variety of special programs of special import to farm workers I am making these comments so that they can be introduced during the hearings on September 26.

During a period when the nation and the world are facing a crisis in the capacity to grow food and fibre in the agricultural industry, it appears to me of extreme importance that serious attention should be given to the problems of farm workers, and with the variety of seriously fragmented services in the federal establishment, a more coordinated effort could result in improvement of the labor situation in agriculture, including conditions of work, housing, health, training, education and technological development.

Currently, improvement of housing conditions for farm workers at home base is a responsibility of Housing and Urban Development, except for farm labor housing which is a responsibility for the Farmers Home Administration or rural housing for those people who live in rural areas, which is the responsibility of Farmers Home Administration and also of Housing and Urban Development. The result is that with the exception of a few rural housing programs, the most creative of which are self help housing programs, farm workers' housing needs continue to prevail under the most pathetic and inadequate conditions.

In the area of training and education, manpower needs in the industry are only a little better coordinated, but the responsibilities are divided between the Office of Education and the Department of Labor.

In the area of technological developments, a great deal of effort is invested in technological improvements on the farm which produce some tremendous benefits for farmers and the American public, but those benefits have probably been less productive than if we had concerned ourselves also with labor as a factor of production. What I am suggesting is that seldom have we concerned ourselves with designing training programs of transitional importance in adapting farm labor skills to the technological requirements of the industry. All of the agencies which currently have responsibilities for providing some element of service to farm workers have an overbearing responsibility for a great many other constituencies and the farm workers form a very small and insignificant

portion of their concern. The one exception is probably the Office of Economic Opportunity. During the past several years, I have had the good fortune of working closely with these problems and have come to a partial realization of the handicaps that farm workers and their families have to live with while at the same time providing the benefits of agricultural production to the rest of us. It also seems to me that agricultural management, namely the farmers, continues to find itself in the dilemma of having valuable technology available to it, but corresponding manpower needs are not fulfilled. I am convinced that within the federal agencies, a strong coordinated body must be established to begin to resolve the pressing human and manpower problems which agriculture as an industry and this nation must resolve to mitigate the effects of the impending food crisis that faces all of us.

Of all the agencies that appear to have responsibilities for the solving of these many problems of farm workers, HEW seems to be, from my viewpoint, the most appropriate agency for the coordination, planning and supervision of comprehensive solutions.

Sincerely,

ALEX P. MERCURE,
Vice President for Regional and Community Affairs.

Mr. YZAGUIRRE. As you can see, I have tried to limit my discussion on the bill itself rather than to get into a lot of other material. It is a good bill. We are suggesting some provisions for strengthening the bill. I will be happy to respond to any questions you might have.

Mr. FOLEY. Thank you very much.

I would like to observe your comments about the implementation of section 505. This is precisely what many of us who turned against that legislation before it was finally passed were concerned about. We rejected the original concept of the Manpower Revenue Sharing Act proposed by the Administration a few years ago. Then in passing CETA, we put into their hands the necessary resources to create by Executive fiat a revenue manpower sharing program and it does not just affect these programs.

You are identifying the problem with respect to migrant and seasonal farmworkers. It also affects all of the other manpower programs because it throws us back into reliance on the initiative in some parts of the country where there had been no initiative in manpower aid. It has the potential for working very well in some of the States where there is a tradition and where there are political forces at work that require that politicians be duly sensitive to the problem.

I am afraid that it takes us back to where we started 11 years ago with the poverty program in some other places.

Also, in Mr. Mercure's letter he says something that no one yet today has done. He calls attention to the fact that there is a good reason why the great American public should be concerned about the migrant and seasonal farmworker. Unfortunately, people who work very directly with the program tend to veer away from the more general job of selling the public on the idea that it is *not* just your Christian duty to feel bad about these poor people who are working, but out of enlightened self-interest you ought to understand that to be able to afford the cost of food and fiber in this country, you are going to have to maintain a migrant work force.

In a highly urbanized society such as we have in this country, it is impossible to conceive of meeting our need for food and fiber if something happens to dry up the supply of migrant and seasonal farmworkers. There are not enough people living in the rural and agricul-

tural parts of the country to do the farmwork. This is a valuable national resource that has to be protected.

I wish we could get some of the people who talk about protecting our forests and other resources to understand that this, too, is a resource.

That is a kind of cold-blooded way to look at it from the other side, but frequently, we can get people interested when they begin to understand how it affects them economically. There are some people who operate on the old theory that the migrant programs, by raising the aspirations of workers, have raised the cost of labor, and as a result, work against them in the marketplace.

I think a very strong case can be made for exactly the opposite conclusion, that without this source of labor, particularly in the area of food, we would be in serious trouble, notwithstanding the tremendous mechanization.

I want to thank you very much for your testimony and also for the Michigan study you put forth in getting us started on the legislation in the first place.

Mr. YZAGUIRRE. Thank you, Mr. Chairman.

If I may comment on your comment—first of all I wish to say I can associate myself very easily with all you have said. I would like to comment on the whole question of revenue sharing.

Revenue sharing works well. It is not exactly what our President said it was, power to the people. But, in another situation, particularly where it involves a situation where minority groups are involved, poor people are involved, it often means power to the powerful. It is precisely, because the migrants are a national problem that it has been addressed nationally. They are powerless. It is not usually that you are going to get a mayor or governor to really worry about a constituency that is not going to vote for him. That is one of the problems of a democracy as it applies to migrants.

The only way we can solve that problem is to look to the national Federal Government.

Thank you, Mr. Chairman.

Mr. FOUNTAIN. Thank you.

Gloria Mattera, director, New York State Migrant Center, State University College of Arts and Science, Geneseo, N.Y.

STATEMENT OF GLORIA MATTERA, DIRECTOR, NEW YORK STATE MIGRANT CENTER, STATE UNIVERSITY COLLEGE OF ARTS AND SCIENCE, GENESEO, N.Y.

Ms. MATTERA. With your permission, I would like to use my paper more as a talking piece.

Mr. FOUNTAIN. Without objection, the prepared text that you have given us together with the exhibits will be included at this point in the record.

You may proceed to comment any way you wish.

[The statement and exhibits referred to follow:]

PREPARED STATEMENT OF GLORIA MATTERA, DIRECTOR, NEW YORK STATE MIGRANT CENTER, UNIVERSITY COLLEGE OF ARTS AND SCIENCE, GENESEO, N.Y.

It is indeed a privilege, Mr. Chairman and Subcommittee members, to share with you ideas about the proposed National Office for Migrant and Seasonal Farmworkers. My presentation concerns the welfare of the farmworkers and reflects the view of the staff of the New York State Migrant Center and of President Robert MacVittie of the Geneseo State University College where the Migrant Center is located.

The concerns and suggestions I would like to share with you are derived from nine years of close contact with migrant farmworkers and their families and the Migrant Center's attempts to enable them to secure needed education, social, recreational, occupational and health services. The Overview of the Migrant Center which you will find in the folder describes in more detail the establishment of the Center and development of its programs. Briefly, however, the Center is involved in the following activities:

1. It conducts studies designed to improve the education of migrant children. The Center not only publishes and disseminates the studies but also assists in their implementation in other migrant programs. A list of the studies is in the folder.

2. It offers workshops and courses to train teachers in New York State and other states to work more effectively with migrant children.

3. It serves migrants of all ages—infants to adults—through programs designed especially for them:

(a) Child Development Center (infants to two-year-olds)
(b) Children's Demonstration School (3 to 14 years)
(c) Teenage In-Camp Programs (14 years plus)
(d) Learn and Earn Program (14 to 21 years)
(e) Interstate Vocational Project (adults)
(f) Weekend Program (families)
(g) Environmental Aide Program (families)
(h) Tutorial Program (5 to 18 years)

From our experience with the migrant farmworker, we find that his needs are that:

1. his work be accorded the same dignity that is associated with any other mobile occupation: that of the diplomat, truck driver, salesman, etc.
2. his minimum wage be comparable to that of the industrial worker.
3. he work year-round.
4. he receive unemployment insurance.
5. he receive without considerable effort on his part the workmen's compensation due him.
6. he live in housing suitable to the climate and befitting any other community resident.
7. he have readily accessible health and dental care.
8. his young children and infants receive child development services that are comprehensive in terms of:
   (a) meeting their health, educational, social and emotional needs;
   (b) the length of day being suitable to parents' working hours;
   (c) serving the children throughout the workers' stay in a geographic area.
9. he have readily available family planning, alcoholic counseling and legal services.
10. his elementary school-aged children receive continuous education and special tutoring to help bridge the educational gaps caused by migrancy.
11. his older children receive career and vocational exploration opportunities and earning opportunities.
12. his family receive consumer and homemaking education.
13. local communities welcome him for his worth as a human being and as an economic asset to the community.
14. he assist in planning, implementing and evaluating his own education and training as well as that of his family.

15. recreational and social opportunities be available to him both in his place of residence (migrant camp) and community.

16. be understand all rules and regulations that apply to migrant work (wage statements, social security deductions, etc.).

Presently there is a proliferation of programs funded through H.E.W. and other Federal departments designed to help meet some of these needs. Unfortunately, as those of us who try to help the families soon realize, the services are administered through many different organizations creating confusion and lack of coordination. Putting it all together to adequately serve even one family is an unbelievably difficult task for the most skilled of professionals, and almost impossible for the worker himself.

The establishment of a National Office for Migrant and Seasonal Farmworkers would lead to consolidation of some of the programs with these advantages:

1. Improved interagency coordination.
2. Elimination of duplication of services.
3. Greater administrative efficiency at less administrative cost.
4. Elimination of confusion caused by different offices offering different services.
5. Cooperation among the staffs of the various organizations who would feel that they are working together rather than competing with each other.
6. Identification of unmet needs followed by appropriate provision of services.
7. Continuity of services for the migrant as he travels.

The success of a National Office, however, is contingent upon the following:

1. A uniform definition of "migrant" that would include the "true" migrant, the migrant who has settled out of the stream up to five years, and the seasonal farmworker.

2. Adequate funding to assure program coverage of those under the broadened definition.

3. A strong leadership and effective administrative structure that would assure the national direction and coordination so critically needed.

4. The administration of all migrant programs, such as III 303 of CETA, HEP (High School Equivalency), CAMP (College Assistance Migrant Program), and III D programs, as well as those in H.E.W.

5. Adequate funds for administration of the Office.

6. The appointed Task Force have adequate representation from the migrant population.

The migrant's "home" is the nation. It is appropriate that a national office support him in his quest for equality, recognition and respect.

OPERATION OF THE NEW YORK STATE MIGRANT CENTER

A. History

The New York State Migrant Center is now in its seventh year of services to migrants and their families in New York State and throughout the nation.

As one of the prime movers in migrant education in New York State, John O. Pons, now retired, Chief of the Bureau of Migrant Education, State Education Department, established the Center at the suggestion of Dr. Robert W. MacVittie, State University College at Geneseo, President.

Dr. MacVittie had envisioned some kind of a migrant institute so that an interdisciplinary approach to solutions of the migrants problem might be implemented. This idea was written into the Geneseo Campus Academic Plan for eventual funding by the State University. However, before the State University could act the Bureau of Migrant Education became aware of Dr. MacVittie's plan and the Center was subsequently established in February, 1968.

Dr. Gloria Mattera was appointed Director of the Center. An Advisory Board, which meets twice annually, and an Executive Council, which served as an action body and has since merged with the Advisory Board, were formed. Members of the Board serve without pay and represent persons interested in the migrant: agribusiness, bilingual education, Bureau of Migrant Education, college administration, college president, community, Division of Human Rights, early childhood development, economics, educational publication, federal government, grower, health services, Interdepartmental Committee on Migrant Labor, labor employment, labor unions, legal services, migrants (Black, Mexican-American, Puerto Rican), migrant education, private national agency, Program Funding, Inc.,

religious group, research, rural agency, social welfare, sociology, state government, State University, technical college and vocational education. In all, 40 persons are members of this body.

"A Force for Change: The Education of Teachers of Migrant Children", an entry in the 1969 Annual American Association for College for Teacher Education, submitted by the Center through the Division of Education in Geneseo, was cited for special recognition of its excellence in training teachers of migrant children. The Certificate of Special Recognition was the only award ever won by a SUNY college in the history of the Distinguished Achievement Awards Program of the AACTE at that time.

Direct involvement with migrants and their problems has led to additional sources of funding and an expansion of services that necessitated a name change from the New York State Center for Migrant Studies to the New York State Migrant Center.

B. Current Projects

The Center is involved in the following full-year projects:

1. *Information/Dissemination Center.*—The Center's extensive library of articles, speeches, pamphlets and other papers on migrant education, labor, housing, health, legislation and related topics is made available to researchers and practitioners in the field.

2. *Inservice Education.*—The Center conducts workshops for teachers and tutors of migrant children in school districts in New York State. College or in-service credit is provided for participants.

3. *Instructional Materials Center.*—Teacher-made and commercial materials adapted for use with migrant children are available on loan to teachers of migrant children.

4. *Learn and Earn Pilot Project.*—In-school and out-of-school migrant youth in area labor camps receive career orientation, training and paid work experience during their stay in New York. Coordination with the home base will enable the youth to continue their training.

5. *Newsletter.*—A quarterly newsletter is published featuring articles of national, state and local interest.

6. *Studies.*—The Center conducts studies designed to improve the education of migrant children. The current emphasis is to fund Mini-Grants which hold promise of developing instructional materials and methods.

7. *Tutorial Program.*—The Tutorial Program serves individual migrant children in area county schools. Trained tutors work with each child one hour per day throughout the child's attendance in the community school.

8. *Vocational Education.*—Three pilot interstate projects—with Texas, Puerto Rico and Florida—are being conducted to provide continuity of vocational training to the migrant worker participants. Training is provided in the migrant camps or local BOCES.

Each summer the Center conducts a variety of programs such as the following which operated during the summer of 1974:

1. *Children's Demonstration School.*—This comprehensive program is designed to meet the physical, emotional, social and academic needs of migrant children, infants to fourteen years of age. The Day Care component is funded by the Department of Agriculture and Markets.

2. *Migrant Aide Training Program, I and II.*—Migrants receive two weeks of intensive training prior to their employment as Aides in the Children's Demonstration School.

3. *Teenage In-Camp Program*[1].—Teams of teachers and tutors work three evenings weekly in migrant camps assisting the teenage youth who have to work in the day in educational and related services areas.

4. *Tutorial Program.*—Trained tutors work with individual children in the Children's Demonstration School.

5. *Weekend Program*[1].—Serving as and alternative to camp activities is the Weekend Program wherein the workers are brought to the Geneseo College Campus for a variety of recreational, cultural and social activities.

[1] The Teenage In-Camp and Weekend Programs are also conducted in the fall until the migrants leave New York State.

6. *Environmental Aide Program*—The New York State Department provides the funds for this project wherein the migrant workers are taught basic building repair and environmental upkeep.

C. Funding Sources and Program Services

In-kind contributions (space, services from the College account for approximately 10% of the funding. The rest of the resources are from the following:

SOURCE	PROGRAM (S)
N.Y.S.E.D. Bureau of Migrant Education	Center Administration Summer Programs for Children, teachers, aides Tutorial Program Learn/Earn Program Studies
N.Y.S.E.D.—Bureau of Occupational Education	Occupational education for adult migrants
N.Y.S.—Department of Health	Environmental Aide Program

D. Other Relevant Information

The New York State Migrant Center is a nationally recognized agency. It is an integral part of a nine-center network serving migrant programs throughout the country.

It was the first Center in the nation to conduct workshops for other states for their teachers of migrant children:

1. Workshops for Alabama—1969, 1970.
2. Workshop for Delaware—1972.
3. Workshop for Maryland—1972.
4. Workshop for Nebraska—1972.
5. Workshop for South Carolina—1972.
6. Workshops for Virginia—1968, 1971.
7. Workshop for Massachusetts—1972.

The Director of the Migrant Center is a member of the Advisory Boards of the National Committee on the Education of Migrant Children, ERIC/CRESS (Clearing house for Rural Education and Small Schools), Interdepartmental Committee on Migrant Labor, the Minimum Wage Council of N.Y.S. Department of Labor, NYSBME (New York State Bureau of Migrant Education), and the N.Y.S. Rural Development Council, and was appointed to the New York State Task Force on Migrant Problems.

LONG RANGE PLAN—1972–1975

GOAL

To enable an unemployed, unskilled migrant and seasonal farm worker, living marginally at the periphery of society, in many cases illiterate, to move from his present condition to functional citizenship, with economic independence due to gainful employment of developed workable skills.

NEEDS	*OBJECTIVES*
1. There is a national need to coordinate and communicate resources aimed at assisting the migrant. The adult migrant functions in society as a resident of the Nation: rather than individual states.	1. To identify ways of facilitating national cooperation aimed at assisting the migrant.
2. In New York State, there is a need to coordinate and communicate resources aimed at assisting the migrant. Within the state, there are many agencies and groups concerned with the status of the migrant such as the Boards of Cooperative Educational Services (BOCES), Agricultural and Technical Colleges, the Labor Department, and Program Funding, Inc.	2. To develop strategies for effectively utilizing resources in New York State.

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NEEDS	*OBJECTIVES*
3. There is a need to effectively employ supportive services (housing, Health, community acclimation, . . .) in conjunction with educational services at the local level. The characteristics of the adult migrant involve critical needs related to these supportive services.	3. To encourage continuity of supportive services in conjunction with a comprehensive educational program at the local level.
4. Learning experiences for the adult migrant should be planned with respect to the problems of living. Subject matter areas should be structured as they apply to everyday living situations. Educational materials and methods should be identified which are suited to the adult migrant.	4. To develop instructional programs in cooperation with home based states based on the uniqueness of the adult migrant.
5. Effective ways of providing learning experiences for the adult migrant in labor camps should be explored. The life style of the migrant requires an innovative approach.	5. To plan, implement and evaluate ways of providing in-camp learning experiences for the adult migrant.
6. There is a need to provide for continuity of learning. The mobility of the migrant creates a situation whereby means for interstate and intrastate coordination is crucial.	6. To identify ways of providing for continuity of learning for the adult migrant.
7. There is a need to provide preservice education for personnel working with the adult migrant.	7. To provide in-service and pre-service education for personnel involved with migrant programs.
8. Occupational Education aimed at viable employment opportunities should be implemented. The migrant must possess salable skills in order to leave the stream.	8. To structure occupational education for migrant related to local employment opportunity.

ACTIVITIES

(2, 8) 1. A planning committee comprised of representatives of concerned agencies and groups will function as an advisory body on migrants. This committee will meet periodically to review problems, assist in the resolution of problems, and discuss pertinent issues. It will also function as a means for communication and coordination of statewide efforts. In addition, the group will assist in the on-going evaluation of the project.

(1, 2, 8) 2. The New York State Migrant Center will gather and disseminate information concerning national and state programs and resources dealing with adult migrant education.

(4, 5, 6) 3. An interstate occupational program with New York State, Florida, and Texas is now formulated. This pilot program will provide exploratory occupational experiences for the in-stream migrant; providing training for him to leave the stream if he so desires in an occupation of his own choice in his own home state.

(1, 2, 6) 4. An information retrieval system will be developed to assist the professional person working with the migrant. The system will provide instantaneous retrieval of both national and state resources aimed at assisting the adult migrant.

(1, 6) 5. A national conference will again be held at Geneseo for the purpose of promoting interstate cooperation and facilitating the continuity of the learning aspects of adult migrant education.

(4, 5, 8) 6. An in-camp mobile unit will provide an occupational program designed to certify migrants as child center aides during the 1973 season. The project will be implemented at Geneseo, and will be developed cooperatively, between the Occupational Education and Child Care personnel at the Center.

(1, 7) 7. The New York State Migrant Center will provide organizational support necessary to conduct the various activities.

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BEST COPY AVAILABLE

(1, 2, 6, 8) 8. The Adult Record Transfer Form that has been developed during the previous year must be field tested for possible modifications. Information concerning this development will be disseminated on an interstate level as a major step towards continuity of adult migrant vocational education.

(1, 2, 4, 6) 9. The New York State Modular Curriculum Units in Agriculture will be utilized as part of the instructional program.

(4, 5, 6) 10. The interstate occupational program will be expanded to include Puerto Rico.

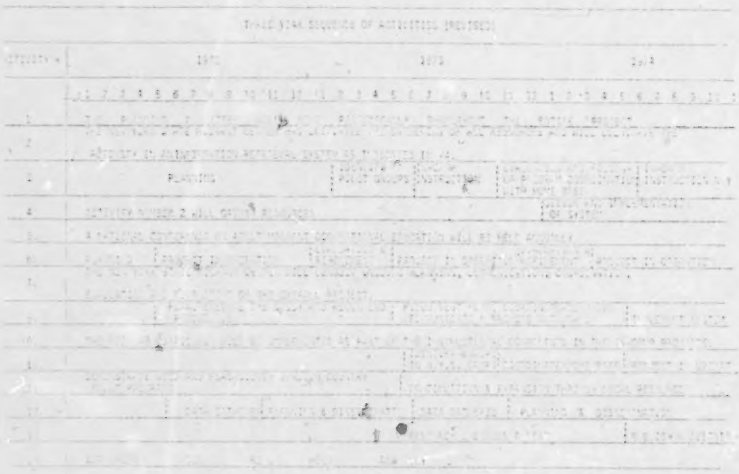
(3, 6) 11. Liaison will be kept with representatives from the county wide pilot programs to encourage continuation and expansion of these cooperative services at the local level.

(1, 4, 5) 12. An information bank will be developed while the migrants are in the New York camps to determine occupational needs and desires of the individual and gather other data that will be useful in facilitating interstate cooperation in regards to curriculum planning.

(1,2,6) 13. An instructional manual will be developed to explain and complete the Adult Record Transfer Form.

(1,2,7) 14. Pre-service and in-service workshops will be planned and implemented for personnel involved with the adult migrant program. These will include statewide workshops for BOCES professional personnel. Workshops will also be developed for interstate cooperation.

[The numbers in parentheses indicate the Objectives at which each activity is aimed.]



Ms. MATTERA. Thank you very much.

It is indeed a privilege, Mr. Chairman, and subcommittee members, to share with you ideas about the proposed National Office for Migrant and Seasonal Farmworkers. My presentation concerns the welfare of the farmworkers and reflects the views of the staff of the New York State Migrant Center and of President Robert MacVittie of the Geneseo State University College where the migrant center is located.

I am not being just polite; it is important to know that Dr. MacVittie is a rather unique college president. Our college is located in a rural area. He felt that the role of the college is to serve rural people and, of

course, the migrant population is one of the most destitute of those rural people.

He assisted me in the preparation of this presentation.

The concerns and suggestions I would like to share with you are derived from nine years of close contact with migrant farmworkers and their families and the migrant center's attempts to enable them to secure needed educational, social, recreational, occupational and health services. The overview of the migrant center which you will find in the folder describes in more detail the establishment of the center and development of its programs. That is the yellow sheet in your folder that I would like to submit for the record.

Briefly, however, rather than read the overview, the center is involved in the following activities:

One, it conducts studies designed to improve the education of migrant children. Now, many people conduct studies but we believe it is imperative, because of the tremendous need of the migrant children and their families, that we not only publish and disseminate the studies but where we find the results of the studies are significantly important, we assist other programs in other States to implement the studies.

You have in your packet a copy of a study conducted, designed to enhance the self-help concept of migrant children by working with their parents. We found that by helping the parents better understand what the child does in school and how to support their child's academic activity, the child's academic activity went up as a result.

That study has been disseminated and widely implemented across the Nation.

Two, it offers workshops and courses to train teachers in New York State and other States to work more effectively with migrant children. The study has been conducted in workshops since 1966 when New York State recognized it was not the problem of children of farmworkers, it was really the teachers who could not and would not reach them. The training of teachers is critical and even legislationwise, I think we all know that the education of migrant children received the greatest bulk of Federal funds because I think that Congress realized that education is going to enable the child and the family to lead a better life.

Three, the center serves migrants of all ages, infants to adults, through programs designed especially for them. For example, we have a child development center throughout the migrant season. I don't believe you can run a child development center for, say, 6 weeks. It should be available as soon as migrants come into your State, for example, be it Michigan or any other State, and it should close when the children leave, or it should continue to serve any families that stay on.

I have here "infants" because legally, in New York State we are allowed to take in children of 8 weeks but when I had a mother say to me the day the child was born, "Will you please take this child because I want to work in the field," I could only convince her to keep the baby 2 more days and I took the child when it was 3 days old into the program.

Mr. FORD. Are you saying that in New York you drop a migrant child statistically if they drop out of the migrant stream?

Ms. Mattera. No. Statistically, educationwise, we may serve the child until he is 5 years out of the stream. However, that is not true for the legislation affecting day care. I was going to get into that in a little more detail.

You have to really argue with the day care people to keep that child from settling out in the migrant program. One of the recommendations I am making is that you have a comprehensive definition so you can't say to one family, "Sorry, you can't stay in the program because you settled out in 2 years."

What I am referring to there in the child development center is that we feel that when a family is eager for a child to be in the program that child should be taken, despite whatever the regulations are, because you are there to serve the family.

We have what is called a children's demonstration school for ages 3 to 14 years, but actually the migrant farmworkers that we serve know that if it is a bad day, if the crops are bad for picking that day, they get on the bus with the children and spend the entire day at our program. It is a 12-hour program during the day; free meals are provided.

Very few programs throughout the country do this. I feel if you are going to serve the workers, the program should expand the workday of the adults.

So, this summer in New York State, for example, we had some crews that came up very early because the picking was pretty bad on the eastern seaboard. I would say that at least half of the summer every d. y we had adult workers come to the program because there was no work in the field. This, of course, provided alternative activity, in-camp kinds of things that go on.

Item C is a teenage in-camp program. We had to initiate that program because we found that the 14-year-olds were not coming to our day program, they had to work in the field. Ordinarily, a lot of agencies will say, "Well, tough luck, children, you have to work during the day. We cannot possibly accommodate you unless you come to school in the daytime."

Instead, we said, "We will come to the camps in the evening." Night, for example, if you were to come to our area and accompany me to a camp, you would find in at least 13 migrant camps, teams of teachers, male and female teams, accompanied by some tutors working right in the migrant camp with the teenagers—not only with them because you can't turn away a 50-year-old man who wants to learn to read and write—working in the camp.

Obviously, to do this, I work very closely or seek the cooperation and assistance of the growers and crew leaders so that I have open access to the camp, and the program has been there for so long they have been very constructive and very helpful, but I believe that is the only way I am going to be able to serve the workers which is my primary responsibility.

We have a pilot learn and earn program. Unfortunately, with the $70-some-odd million from HEW that goes into the migrant programs, the Exotech study showed that 90 percent, approximately, drop out of school. If that is true we are spending millions of dollars on 10 percent of the population if they make it through school. Also

in that study they showed that the State of Florida had a very low dropout rate of the children of the learn and earn age program.

So, the conclusion that was derived from the national study was that a learn-and-earn program, wherein a youth learns other occupations and gets paid for it, is proving that the dropout rate can be lowered.

So, at Geneseo, we have a pilot learn-and-earn program. It is my belief that education has a very strong network that is available and willing to be tapped. There are bosses or boards of popular education services that have paid vocational people whose job it is to find job opportunities in the community. So, I believe through the strong educational network in cooperation with the receiving States, for example, Florida will pick up the youth from the learn-and-earn program and continue the training or the occupational exploration depending on where the youth are.

The interstate vocational program is a very small pilot project funded through the Occupational Education Division of the Labor Department, but I believe continuation of education programs for the farmworkers is the only way to get jobs out of the stream.

The reason we initiated that was that we found migrants were coming up year after year, taking the same mechanics operators courses but never graduating because they came back to their home base and nothing happens. We have one project in Texas and Puerto Rico; we say, "We have them here. We have found they are interested in this kind of training; we are providing it. Will you follow through on their home base?"

I don't know if I can say it is going to be successful or not but we are receiving cooperation on that score.

I mentioned to you that we work closely with the growers and seek their input. Obviously, a very severe problem is alcohol in the camp. One way, with education funds, I have tried to overcome that is through alternative activity. The earning program is a tremendous alternative activity. But, the drinking on the weekend is a severe problem. I am sure I would be an alcoholic too if I had to live under some of the conditions I have seen.

So, we have a weekend program wherein the farmworkers come on to the campus, in other words, it is a community inviting in the workers, and not too many communities have that answer, but if you were a farmworker and were on our program, on Sunday you come in, there are three meals throughout the day, but you can learn to play tennis, swim, play ping pong, take field trips; in other words, you would have a beautiful day away from the camp so that you would have a different perspective. We find that that is a highly successful program.

This Sunday, for example, we will have up to 150 migrants on campus participating.

The environmental aid program is something from the health department which felt that this punitive way of enforcing the sanitation in the camp is almost impossible to implement because they are so short of manpower. So, they have this little pilot project wherein we have an environmental aid in the camp that assists the workers with environmental upkeep and simple repair of facilities, learning carpentry and these types of activities, plus assistance in nutrition.

Last, because the migrant child suffers the most in terms of lack of continuity for his reading and arithmetic, we have a tutorial program. Right now, there are about 150 migrant children that the center serves in 10 school districts: Wayland, Hampton, Bluefield, Warsaw. Each migrant child receives one hour of tutoring a day just on his particular needs.

We think that that will be instrumental in helping upgrade his academic achievement.

By the way, when they go back to the home base such as Florida or wherever they go, there is a followup provided.

I am very supportive of your legislation for a national office. From our experiences, with the most migrant farmworker, we find that his needs are—and I would like to go over these needs—I know they have been implied today but no one has really zeroed in on them in terms of your feeling what the migrant needs are.

One, his work should be accorded the same dignity that is associated with any other mobile occupation, that of the diplomat, truck driver, salesman, et cetera. A lot of people laugh at me when I say "diplomat": My brother was a diplomat. His family had to suffer from his traveling all over the world. Why should the farmworker have this problem when he is doing the most important work that there is in the world?

That is my conception of it anyway.

Two, his minimum wage should be comparable to that of the industrial worker. Recent legislation will make that eventually possible but it has been a long fight getting that kind of equalization.

Three, he works year-round. It is very disturbing when a migrant tries to apply for medicaid or some other type of service. They ask, "What is your anticipated salary?" or "What did you earn the last 8 weeks?"

Obviously, if he is there picking crops it may be better, but when you look at his year-round salary, it is minimal. He needs the opportunity to work year-round. Maybe the best way to do that is as Robert Kolberg suggested, for the migrant to settle out of the stream. He needs year-round work so that he can be the kind of citizen that he wants to be, namely fully employed, able to take care of his family.

Four, that he receive unemployment insurance. How many times has he gone out in the field and there is no work for some reason or another and he doesn't get paid? He gets in debt to the crew leader.

Five, he receive without considerable effort on his part the workmen's compensation due him. If a farm migrant worker gets hurt on the job by the time he gets through the redtape to get compensation, he is back on his home base.

Six, that he live in housing suitable to the climate and befitting any other community resident. Now, very frankly, picking is a healthy and invigorating kind of activity. If you like it you should be able to do it. Right now I do not have a feeling that I would want to, if I did like the work, become part of the migrant stream.

In the camps in the evening or any time of day it is not the kind of place that I would select to be living. There are some camps that are delightful places but unfortunately, nationwide these are not the kind of places that you and I perhaps would want to live in. In other words, it should be just as any other community.

Seven, he have readily accessible health and dental care. We found that 90 percent of our children had never been to a dentist. That is a phenomenal figure.

In light of that fact, we use education money to get a full-time dentist so that those children get complete dental care while they are in the program. This is the kind of commitment that is needed throughout the Nation so that their drastic health problems—this summer alone I could give you a litany. We had children with tuberculosis, children with all kinds of respiratory problems, and adults, too, for whom we tried to provide services. Diarrhea is prevalent. I don't know if insecticides have anything to do with these kinds of things and nobody really knows for sure.

The studies are finding a little bit but not enough to put a handle on what to do about it.

Mr. FORD. Yesterday, the Congress was talking about the upcoming summit conferences the President will be presiding over on Friday and Saturday. Some of us have participated in the mini-summit conferences. They had one on agriculture. The consensus of the big agribusiness representatives there was that we would have to relax the Federal regulations on insecticides or pesticides or we were going to threaten their productivity and therefore increase the pressure on the economy.

With our fear for the economy, if we don't watch very closely we will lose the little bit of protection that we have now.

I happened to sit with the industrialists, those million-dollar-a-year fellows in Detroit, a week or so ago. Their view was that if we would only repeal OSHA, the Clean Water Act and Clean Air Act and not make them put catalytic converters on automobiles, that the economy would come back.

Ms. MATTERA. There might not be any people here.

Mr. FORD. With the energy crunch, with the public reaction against runaway inflation, there are a lot of people who are going to be tramping around these halls trying to undo what has been done. This is something I hope we won't lose. We might be preparing to tell politicians who are heading in that direction what it will cost New York State if we back off.

Ms. MATTERA. It is a horrendous possibility and perhaps, too, the national office could provide the kind of national voice that would forestall any such action. It is a serious problem affecting the whole country. Really the route of it, I think, is the fact that the rural area of the Nation needs attention.

The rural people have moved to the cities, creating the problems there and if only the rural area were looked at, maybe there should be a national rural office starting off with migrant and expanding it to consideration of the entire rural situation, which would help change some of the attitude.

Eight, his young children and infants receive child development services that are comprehensive—this is critical—that are comprehensive in terms of aid in meeting their health, educational, social, and emotional needs. I am not talking about a baby-sitting kind of service. A migrant child's home environment is grossly deprived of educational materials because of the nature of the occupation.

So much can be done to educate parents on what to do with children at home, to provide the kinds of experiences in child development centers where children would be served.

The length of the day should be suitable to the parent's working hours. So many programs that supposedly are concerned about the farm worker send the children home at 3 o'clock or 4 o'clock because that is when the bus goes. That is ridiculous.

The parents worry. Many of them will not send their children to day-care programs or school programs because they worry that when the children get back to the camp, there is no one there to supervise them. If you are truly concerned about migrant farm workers, your program should span the entire work-day and not to meet your particular bus or administrative need.

C. That the children are served throughout the workers' stay in a geographic area. I mean to stress this day care thing because presently with the national legislation there is a tremendous gap of services to migrant farm worker children and also an overlap. For example, I went out to a camp the other night to recruit a family. I heard a family had come in, a Chicano family. She had five children under 5. I was taking the names. She said, "Do you want the children under 3?" I said, "Of course; we take all the children."

She said, "In Florida there are no services for children under 3 unless I pay." So, obviously her children never had been in the day care center. With the millions of dollars across the Nation for all kinds of services why should the migrant child who is under 3 years old be in a field exposed to the elements? He has his mother's love, but she is pretty busy picking.

I think New York State is unique in the Nation. I think Washington may be a second State, but New York State has every migrant child in a day care center because the Department of Agriculture in the State of New York provides money through the Social Security Act.

What I am saying is that there is a tremendous need for services to that young migrant child who needs it for his intellectual health and other development. Hopefully this national office will notice the gap there of services to that very young child.

Nine, he have readily available family planning, alcoholic counselling and legal services. The farm worker needs family planning. So many times I have talked with the mothers and commented on the beauty of their children. They will say to me, "I really didn't want them. Is there some way you can help me so that I don't have any more children?"

You may say this is a ridiculous statement in 1974, but there are people who don't know what to do and don't know where to go for services.

Alcoholic counseling, of course, there is a tremendous need because migrants get little of it.

LEGAL SERVICES

I was in an interdepartmental meeting on Tuesday. The Human Rights Division announced that there was only one case for migrant farmworkers in regard to human rights. One person said, "That is wonderful, the migrants must have no problems."

The reality of the situation is that what migrant knows enough about his legal rights to make the effective kind of protest about what is happening to him?

Ten, his elementary school-aged children receive continuous education and special tutoring to help bridge the educational gaps caused by migrancy. Despite the fact there is a complete network of 48 States, we still need to have better interstate cooperation, and much of the problem is due to the laws that each State has in regard to education of migrant children and the education of children in general. Maybe again the national office could help surmount that problem.

Eleven, that his older children receive career and vocational exploration opportunities and earning opportunities. The older child is in the field as a matter of survival. He is not working to make money to buy a car. He is earning money to feed the rest of the family. Certainly that is child labor. It is not child work.

Twelve, his family receive consumer and homemaking education. Many cooperative extension people are doing a fine job in getting into the camp, at least in our State, and helping families with it as well as the education program.

Thirteen, probably we are sitting here today because No. 13 is the most negligent one. Local communities welcome him for his worth as a human being and as an economic asset to the community. The migrant is not often welcomed in the community. He is not considered an asset.

Fifteen, recreational and social opportunities are available to him both in his place of residence (migrant camp) and community.

And, sixteen, that he understands all rules and regulations that apply to migrant work.

Last week one of my staff on the weekend program was in the camp when the migrants were being paid. They lined up and the crew leader paid them. They came out of the room with cash in hand and no statement. They are supposed to by law have a statement of their earnings. No statement.

Then the next step he took was to the crew leader's wife, who proceeded to get all the money that the worker owed. I think the best picker that week had take-home in his hands of $30. That was for a full week of work. I could go into a litany of that kind of situation.

Certainly he needs to know the rules and regulations that apply to him and what he can do to get redress. Presently there is a proliferation of programs funded through HEW and other Federal departments designed to help meet some of these needs. Unfortunately, as those of us who try to help the families soon realize, the services are administered through many different organizations creating confusion and lack of coordination. Putting it all together, to adequately serve even one family is an unbelievably difficult task for the most skilled of professionals, and almost impossible for the worker himself.

The establishment of a national office for migrant and seasonal farmworkers would lead to consolidation of some of the problems with these advantages. We believe that a national office would improve interagency coordination. It would eliminate duplication of services.

For example, in some States the Office of Child Development funds compete with the USOE funds for 3- and 4-year-old children because that is where the OE moneys are primarily being used. If those

moneys were shifted down to children under 3 and let education handle children over 3, there would be no problem.

3. Greater administrative efficiency at less administrative cost. You have, I don't know how many, offices here in Washington that handle all migrant programs. Certainly consolidation under one should cut a lot of administrative cost and should produce some efficiency.

4. Elimination of confusion caused by different offices offering different services. Wayne County was mentioned earlier. There are 20 to 30 small agencies in Wayne County, yet the migrants were starving there this season because it was not put together to enable them to eat or receive needed services.

5. Cooperation among the staffs of the various organizations who would feel that they are working together rather than competing with each other. There is a strong competitive spirit because everyone's turf is being violated when someone else gets in on it. Perhaps with a national office with national direction we would feel we are working together.

6. Identification of unmet needs such as day care and the need for work with the older youth followed by appropriate provision of services. Just by coincidence Carl Rowan had an excellent article in the paper this morning. He was quoting from a LEAA report that indicated that crime was committed throughout the Nation by an extraordinary number of the wretchedly poor. Migrants are among the wretchedly poor.

In conjunction with that I would like to read just a paragraph from a paper that I coauthored that perhaps has some import for this discussion even though I was quoting from the Edwin Markham poem:

> Even though no whirlwind rebellions lie ahead, our indifference, whether borne of callousness or ignorance, to the indigence of thousands of migrant families, is a festering sore in our society which endangers our own well-being as well as theirs. When Pharaoh hardened his heart, the consequences were fatal to his people. We are unlikely to find injustice and insensitivity more possible. We must realize that the plight of the migrant workers and his family is a menace to us all as it is to them.

I think this LEAA report amply justifies that statement.

7. Continuity of services from the migrant. Hopefully the National Office will do that. Now the success of this national office, however, is contingent on the following:

1. You need to have a uniform definition of "migrant" that would include, and I suggest this only, that you would include the true migrant, the one who is currently traveling to pick crops, the migrant who has settled out of the stream at least up to 5 years, and the seasonal worker. There are too many definitions currently under the various pieces of legislation which have led to many problems.

2. That you have adequate funding to assure program coverage of those under the broadened definition.

3. That the office have a strong leadership and effective administrative structure that would assure the national direction and coordination so critically needed.

4. That the administration of all programs, and this would include section 303 of CETA, the HEP program, CAMP program, the HUD programs as well as those in HEW.

5. Adequate funds for administration of that office. For example, USEO has a small migrant program grant, but there are not enough funds to really do any effective administering from that office.

6. That the appointed task force that you are suggesting have adequate representation from the migrant population.

This last statement, I think, is the most critical. The migrant's "home" is the Nation. It is appropriate that a national office support him in his quest for equality, recognition and respect.

If there are any questions, I will be happy to answer them.

Mr. Fogs. Thank you very much. We have a time problem. We have a witness who didn't think he was going to be able to get here and did manage to get here late. I have a meeting with Senator Mondale. So we will move on. We will put this additional material that you have given us in the record here.

We appreciate the fact that you keep writing to us and keep us up to date. I don't want to get into New York politics, but I might make the observation while both of you are here that one of the candidates running for Governor up there was one of the authors of the OEO Act and worked for many years in this committee and probably cosponsored and certainly worked on the floor for every one of the migrant programs that are now on the Federal books.

So I would expect if that election turns out the way some of us think it might up there, you will have a very sympathetic statehouse.

Ms. MATTERA. Thank you.

Mr. FOGS. Mr. Sunderman?

STATEMENT OF CARLOS SUNDERMAN, EXECUTIVE DIRECTOR, UNITED MIGRANTS FOR OPPORTUNITY, INC., MOUNT PLEASANT, MICH.

Mr. SUNDERMAN. Thank you, Mr. Chairman.

I am here on behalf of the Midwest Association of Farm Worker Programs. These farmworker programs are currently the Office of Economic Act title III(B) grantees presently in the Midwest in region 5. I come here in support of a bill which would create a National Office of Farm Worker Programs because it is becoming increasingly apparent under the present program under CETA title III, section 303, that all of the community based organizations are going to face some stiff competition from local politicians and units of government where heretofore have not shown any great amount of sensitivity to the problems of farmworkers in the Midwest.

For instance, out of grantees for Michigan, Iowa, Illinois, Wisconsin, and Minnesota six grantees heretofore, now we have 40 applicants in region 5 for section 303 funds under CETA. It becomes increasingly apparent that the tremendous impact that we have made as a community based organization and representing the farmworkers is being threatened by the type of piecemeal approach which is being taken by the Department of Labor.

I wanted to briefly speak to certain problems with respect to the kind of inter-agency coordination and cooperation which does not exist at this point. Michigan is not typical of the Midwest programs with respect to the amount of interagency cooperation that exists.

We will use as an example one of the best programs in the country used as an example in Michigan as one of the models for interagency cooperation and coordination. Yet if this is the case, heaven help those States that don't have this type of thing going.

But Michigan is typical in the sense that we experience every summer an influx of farmworkers from the home based States of Florida and Texas and some of the other Southern States, farmworkers who come to our States to harvest our crops and they have a variety of problems.

But to take Michigan as an example of the kind of assistance that we might get from the political end of the spectrum of the State and local areas of government, we seem to be pitted against each other. Growers and farmers are pitted against each other and don't even realize that the big problem is the fact that agribusiness has a hand in keeping farmworkers where they are.

To give an example of what I am saying, very simply farmworkers are told that they can't have better housing because the small grower just finds it increasingly difficult to make a profit because of high labor costs, et cetera. This is the kind of thing that the State of Michigan would have us believe.

The agriculture commission, for instance, reflects this kind of policy.

Mr. FOAN. I am looking over my shoulder at the staff. I hope there will be printed pretty soon the report we prepared on agricultural labor, particularly labor-management and government regulations, in several European countries last year. We were able to demonstrate in those countries where agribusiness does not exist that the family farm has 100-percent union membership, 100-percent minimum wage coverage, most of them have 100-percent availability to pensions. They do that totally on the family farm. We expect we are going to catch a little flak when that report comes out. You and I might have some fun in Michigan trying to convince our legislators up there that the family farm can live with farmworkers having a decent life.

We were told a few years ago that when we chopped off the bracero program that the entire agricultural base in Michigan was going to fall into the lake because nobody else could pick pickles like the bracero. But it is improving considerably out there.

When I was in the State senate, we had an ambitious little bill to ask for the same safety standards in transporting migrant workers within the State that were required by our agreement with Mexico for the braceros. Strangely, in that very fine modern progressive State of Michigan, we were slaughtered by the legislature when we tried to say that an American citizen should have the same protection in riding on an open truck as a citizen of Mexico who was here under the bracero program.

It is perfectly all right to take care of our obligations to the Government of Mexico, but not our own American citizen. That was only 12 years ago. We have come a long way since then, I think. It is true, as you say, that many people who are in the business from a governmental point of view point at the structure of Michigan and say that we are one of the better ones.

I suspect we are, but you are also right in saying if we are better, God help the others. After going around the country with this committee, we are, in fact, one of the better ones. I am sure, but most of it is by accident, one of the reasons being that our migrant population is dropping so rapidly.

We moved from No. 3 to No. 12 in about 3 years.

Mr. SUNDERMAN. I guess what I was trying to get at was that rather than have these antagonists exist, it would be helpful to have a national office which could have a uniform policy with respect to a comprehensive plan for farmworkers. We need to have adequate definitions of just exactly what is a farmworker.

How are we going to use all the resources that are currently being expended for migrant education and Migrant Health Act, the various OEO-type programs, and the manpower programs? If we had one particular office that could plan and formulate a policy for farmworkers, a lot of these problems would not exist.

Again in Michigan, for example, the department of public health proposed to allocate approximately $200,000 last year in the area of public health for farmworkers and the Migrant Health Act has an additional $900,000. This never came through. I think if we had a policy at the Federal level, perhaps some pressure could have been brought to bear on the Legislature of Michigan to give its share.

I had prepared a few notes. I don't care to take any more of your time other than to say that it would help tremendously to have a national office where community-based organizations such as our own could continue to make an impact and change attitudes in the community and plan together, involving the farmworkers, to make a better program for farmers.

At this point I think we are going to lose whatever gains and whatever benefits we have made under title III of the OEO.

Mr. FORD. How much of the State do you cover with what you describe as region 5?

Mr. SUNDERMAN. We cover the entire State of Michigan, the Lower Peninsula, because up to now we have not had a chance to work with the lumber industry supposedly. We do have a grant with the other grantees in the entire Midwest.

Mr. FORD. Are you familiar with the GAO report that we were talking about that examined the programs in the various counties?

Mr. SUNDERMAN. No; I am not.

Mr. FORD. I understand we have run out. We will get one for you. I would like to have you look at what the GAO found in the various counties and give us your assessment of their assessment and maybe update it for us.

They gathered the data in 1972. So, it has already changed considerably. In Barry County, for example, one of the things I remember is that the school authorities out there refused to apply for migrant education funds. I don't know whether that has been corrected or not. They tell us it has.

Also during the conference on the education bill when we were dealing with the bilingual education section, we became aware of the fact

that Michigan just conducted a statewide school survey and discovered that we had 38,000 children in public schools who had identifiable learning problems because their first language was not English.

Much to my surprise, I discovered that almost half of that 38,000, a little more than half, as a matter of fact, were Spanish-speaking. The primary source of that Spanish-speaking population is the dropoff at the end of the migrant stream. That is a set of figures you might want to get from the Office of Education. We can probably get one for you.

I have found that, when I bring this up with educators and others back there, that people who heretofore have not recognized any relationship between migrants and their problems are beginning to understand how they are impacting them.

By the 1970 census there were over 10,000 people in Detroit with Spanish surnames as classified by the Census Bureau. That is a fantastic growth from the previous census and almost entirely attributable to people who initially came by way of the migrant stream. So there is a new awareness beginning to develop. It is a very slow process.

One of the appeals of this kind of approach with a national office is that we might have a chance to do something other than wait for States to wake up State by State or city by city to what is happening. I think we have passed the stage where it takes political advantage to be on one side or the other of the real issue involved here.

The fact is with our other problems in a State like Michigan, we have to have somebody constantly agitating or you don't notice that problem often enough to do anything about it. Like other States we have traditionally had an agricultural bias from agricultural management in our Legislature. But the one-man/one-vote is starting to change that very rapidly. The makeup of the Legislature is changing dramatically. Things that weren't possible a few years ago in agriculture in the United States are no longer impossible.

I appreciate very much the extra effort that you made to come down and I would appreciate if you would give us your comments on the GAO report and anything else that might be added to that as we go along with the hearing in the way of your specific experience with the program.

When the grants go out on CETA, we will be interested in your reactions as to how the grants are worked by the Department. We will have them describe from their point of view why they made the grants, where they made them, but we would like to hear from you how you view their methodology from your own perspective.

I would like to also thank Rudolph Arredondo of the migrant legal action program for submitting a very excellent statement for the record. We will insert that at this point in the record.

[Statement follows:]

PREPARED STATEMENT OF RUDOLPH ARREDONDO, MIGRANT LEGAL ACTION PROGRAM

The need is evident for the establishment of an independent office to develop and implement policy and to coordinate the efforts of programs directed at the farm labor community by federal and state agencies.

To date, there is no coherent national policy to accomplish this goal within these agencies. There is no question as to the need for federal action and national planning and coordination. This is necessary for several reasons.

We are dealing with a large number of interstate people. Even local and seasonal farmworkers often travel during the season across county and state lines within a region, performing farm labor tasks.

The multiplicity of definitions of "migrant" and "migrant farmworkers" tend to promote waste and discourage direction on a local and regional level.

Furthermore, the lack of *any* accurate data on the number of farm laborers and the subsequent use of admittedly inconsistent and inherently deficient surveys of farm labor by federal agencies in the planning effectively deny the services which the Congress has mandated and to which these workers are entitled as a matter of right.

The most recent example of administrative arbitrariness are the allocation figures which were published on August 20, 1974 in the Federal Register for fiscal year 1975, reflecting the Rural Manpower Service's monthly survey of employers. These figures are being used to determine the allocation of funding under CETA § 303. On the 15th of every month, Rural Manpower Service officers throughout the country ask employers how many people are on the payroll. Each state determines its own agricultural regions and it is in these regions that the monthly survey is done. The Department of Labor admits to great variation between states in methodology in the conduct of these surveys. For example, some states are more thorough than others, actually sending out people to look at the employers' books or to count heads, while other states do it on the telephone. Finally, no report needs to be filed in an area if there are fewer than 500 agricultural workers.

The census figures were taken in March, and the question which was asked was "What did you do last week?" (not last year). Obviously, there were few farmworkers employed during the month of March. As a consequence, there is a disparity of figures between the census and the Rural Manpower Service reports and the Department of Agriculture's own crop labor reporting. Although RMS claims to be revising their figures, there are obvious inequities. What is needed is a new national survey taken in every county in the country, including all farm labor, whether or not that county has fewer than 500 workers. Also, the survey should not be based solely on the employer's words or records, but should take into consideration the fact that there are tens of thousands of illegals working on farms and related industries and that large numbers of employers and/or growers do not report farm labor because of the possibility of opening themselves up to housing inspections.

The allocation figures were developed by splitting up the migrant and nonmigrant figures nationally and basing 10 percent of the funds on interstate migrants and 90 percent of the funds on intrastate and local farmworkers. A state like Florida does well under this formula, as does North Carolina. On the other hand, a state like Mississippi, which does not even have a monthly survey of employers, does poorly. Apparently, the most troubling state is Minnesota, which does not seem to do well, because the figures differ from other reports, indicating an undisclosed error in the reporting system. (For June and July, Minnesota reported 2,700 and 2,100 interstate migrants respectively and 3,000 and 4,800 intrastate workers respectively.)

It seems as if the Department of Agriculture, the U.S. Census and the Rural Manpower Service each admit to their inadequacy in reporting accurate and consistent farm labor figures. In fact, it seems as if the Department of Agriculture is phasing out its crop labor reports and undertaking a survey on a sampling basis. The U.S. Census has, or is about to negotiate, a special survey for the Department of Labor. Of course, none of the figures include unemployed farmworkers, whether actively seeking employment or not. The new allocation figures tend to swing toward states with high seasonal labor rather than high migrant user states. (A possible explanation is that the Migrant Division has been combined with the National Migrant Workers Program, both of which tend to concentrate resources in migrant states.)

In addition, the Department of Labor of Puerto Rico submitted figures which were much lower than the census. According to the Department of Labor, Puerto Rico has six percent of all farmworkers.

The fact that there are so many programs that are responsible for providing services to the farm labor community, such as the Occupational Safety and Health Administration, the Rural Manpower Service, the Farmers' Home Admin-

istration, seasonal and migrant farmworker programs, etc., is offset by the fact that their policies are inconsistent and lack coordination or strategy, thus breeding inefficiency and waste.

The need for an independent office to initiate and undertake the responsibility of coordination and policy development necessary for an efficient and responsible federal strategy is clear.

For these reasons, we make the following recommendations:

1. That there be an independent office to avoid conflicts of interest and waste.

2. That it be located at HEW, directly under the Secretary or in a special section or division within HEW. There are only three departments of government which have substantial responsibility for farm labor programs—the Department of Labor, the Department of Health, Education, and Welfare, and the U.S. Department of Agriculture. DOL has a history of strong employment service orientation, as revealed in the operation of the Rural Manpower Service (see *NAACP* v. *Brennan* 360 F. Supp. 1006 D.C. D.C. 1973). It has shown lack of concern in the promulgation of OSHA housing regulations and pesticide standards. Most recently, DOL has failed to insure an adequate replacement of the effective OEO farmworker programs that DOL took over during the last administration. All these deficiencies indicate an insensitivity and unresponsiveness to the needs of the farm labor community on the part of DOL. As to USDA, it has never and probably never will purport to farm labor interests.

HEW is the only agency that has shown any empathy or real concern for farmworkers and from a farmworker representative's point of view, the national farmworker office should be at HEW.

3. That the office have authority to hold public administrative hearings on all federal agency policies affecting the farm labor community.

4. That it have access to all documents including, but not limited to, research data and communiques of each respective agency with respect to those matters affecting the farm labor community.

5. That there be quarterly reports from each federal agency with a direct farm labor responsibility, including but not limited to, the Farmers' Home Administration, the Department of Transportation, the Department of Labor, the Department of Health, Education, and Welfare, and the Occupational Safety and Health Administration.

6. That there be monthly meetings of the designated heads of these agencies with the officer in charge of the independent office as Chairman.

7. That there should be annual reports which deal with policy recommendations, statement on census, and summary of actions and data from each respective program including amounts of monies expended and information as to who has the authority to expend the money.

Mr. FORD. The committee will stand in recess to the call of the Chair.

[Whereupon, at 12:20 p.m. the subcommittee adjourned, to reconvene at the call of the Chair.]